



Crl.O.P.No.1674 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.1674 of 2024

Siva

...Petitioner/Accused-3

Vs.

State represented by
The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

(Crime No.545 of 2012)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.545 of 2012 in PRC.No.03 of 2019 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.T.Elumalai

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



Crl.O.P.No.1674 of 2024

WEB COPY

ORDER

The petitioner/A3 in Crime No.545 of 2012, registered for the offences under Sections 147, 148, 294(b), 341, 353, 120(b) and 307 of IPC, seeks bail.

2.Originally, bail had been granted to the petitioner herein and subsequently, after investigation, final report had been filed and the same had been taken cognizance as PRC.No.03 of 2019 by the learned Judicial Magistrate, Vikiravandi. During the proceedings, the petitioner had absconded necessitating issuance of a Non-bailable warrant on 18.05.2023 and it had been executed on 10.01.2024. All other accused are also appearing before the Court.

3.It is stated that the learned Judicial Magistrate, Vikiravandi had also committed the case to the Principal Sessions Court, Villupuram.

4.In view of that particular fact, I am inclined to grant bail to the petitioner with certain conditions:



Crl.O.P.No.1674 of 2024

5. Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two fresh sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Vikiravandi, and on further conditions that: -

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the Judicial Magistrate, Vikiravandi, everyday at 10.30 a.m., till 19.02.2024 and thereafter, from 20.02.2024 onwards appear before the Principal Sessions Court, Villupuram or to the Court where trial is to take place on every Monday at 10.30 a.m., apart from the Court hearing dates, till completion of trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.1674 of 2024

WEB COPY

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

07.02.2024

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Crl.O.P.No.1674 of 2024

C.V.KARTHIKEYAN. J.
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To

1. The Judicial Magistrate, Vikiravandi.
2. The Sub-jail, Cuddalore.
3. The Inspector of Police,
Vikravandi Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.1674 of 2024

07.02.2024