



Crl.O.P.No.1935 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

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

Crl.O.P.No.1935 of 2024

Mariyappan

...petitioner

Vs.

State represented by
The Inspector of Police,
Vikkirapandiyam Police Station,
Thiruvarur District.
Crime No.163 of 2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.163 of 2023 on the file of the respondent Police.

For petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 28.12.2023 for the offences registered by the respondent Police under Sections 342, 294(b), 352, 506(i), 376 and 511 of IPC in Crime No.163 of



2023, seeks bail.

2.The petitioner is aged about 27 years and the victim is aged about 65 years.

3.Let may not enter into any further discussions, since charge sheet has been filed before the Competent Jurisdictional Magistrate Court.

4.Let the charges be established in the manner known to law by the prosecution.

5.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Manargudi 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 report before the respondent



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Police, everyday at 10.30 a.m., until further orders.

[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.

[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.

27.02.2024

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To

1. The Judicial Magistrate No.II, Manargudi.
2. The District Prison, Thiruvarur.

C.V.KARTHIKEYAN. J.

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3. The Inspector of Police,
Vikkirapandiyam Police Station,
Thiruvarur District.
- 4.The Public Prosecutor, High Court of Madras.

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