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Crl.O.P.No.3022 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2024

CORAM

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

Crl.O.P.No.3022 of 2024

Vigneshwaran @ Vikki

...Petitioner/Accused

Vs.

State represented by
The Station House Officer,
Nellikuppam Police Station,
Cuddalore District.
(Crime No.362 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in S.C.No.219 of 2023 on the file of the Principal Sessions Judge, Cuddalore, on such terms and conditions.

For Petitioner : Mr.P.Prince Premkumar

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

ORDER

The petitioner/A1 in Crime No.362 of 2023, registered by the respondent for the offences under Sections 147, 148, 294(b), 324, 506(ii) & 302 of IPC, seeks bail. The petitioner had been remanded to custody



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on 20.08.2023.

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2.It is the case of the prosecution that the deceased, Mugilan, who already has several cases against him had developed enmity against Vigneshwaran and consequent to that, he was brutally assaulted and died on the spot.

3.It is stated that this Court had granted bail to some of the accused and some of the accused had also granted bail by the Principal Sessions Judge, Cuddalore.

4.Taking into consideration the period of incarceration and the fact that final report had been filed and the matter had been committed to the Court of Sessions which is now pending in S.C.No.219 of 2023 before the Principal Sessions Judge, Cuddalore, I am inclined to grant bail to the petitioner subject to the following conditions:

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 sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Cuddalore, 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



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their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of 20 days and thereafter, during the Court hearing dates before the Sessions Court.

[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.

13.02.2024

ata

C.V.KARTHIKEYAN. J.

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To

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1.The Judicial Magistrate, Cuddalore.

2.Central Prison, Salem.

3.The Station House Officer,
Nellikuppam Police Station,
Cuddalore District.

4.The Public Prosecutor,
High Court of Madras.

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