



WEB COPY



Crl.O.P.No.3428 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

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

Crl.O.P.No.3428 of 2024

Pradhap @ Sugesh

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Hasthampatty Police Station,
Crime No.323 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in S.C.No.140 of 2023 pending on the
file of the Chief Judicial Magistrate, Salem.

For Petitioner : M/s.S.Sengkodi

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

ORDER

The petitioner is an accused in S.C.No.140 of 2023 pending on the
file of the learned Chief Judicial Magistrate, Salem, seeks bail.

2.Originally, Crime No.323 of 2022 had been registered for the



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offences under Sections 294(b), 323, 324 and 506(ii) of IPC @ 294(b) and 307 of IPC.

3.It is stated that the petitioner did not appear before the Court on 19.09.2023 and Non Bailable Warrant has been issued against him and the petitioner had been remanded to custody on 25.09.2023.

4.The learned counsel for the petitioner stated that the petitioner has been arrested in another case on 05.09.2023.

5.Taking all the factors into consideration and the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

6.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, **(the original sureties may be again produced and may execute extension of bond and provide undertaking for extension of bond. If the same was not accepted, the petitioner shall execute fresh sureties)** each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Salem and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb



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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 learned Chief Judicial Magistrate, Salem, on every Monday at 10.30 am., for a period of four weeks including the Court hearing dates and thereafter, only during the hearing dates.

[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.

14.02.2024

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C.V.KARTHIKEYAN,J.

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To

- 1.The Chief Judicial Magistrate, Salem.
- 2.The Inspector of Police,
Hasthampatty Police Station.
- 3.The Central Prison, Salem.
4. The Public Prosecutor, High Court of Madras.

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