



Crl.O.P.No.3401 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Crl.O.P.No.3401 of 2024

Manjunath @ Nepal manju

... Petitioner

Vs.

The Inspector of Police,
Thally Police Station,
Krishnagiri District
Crime No.291 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in P.R.C. No. 37 of 2023 on the file of Judicial Magistrate Court, Denkanikottai, Krishnagiri District, (Now PRC No.37 of 2023 transferred to Principal District Judge Krishnagiri) in Crime No.291 of 2022 on the file of Inspector of Police, Thally Police Station, Krishnagiri District.

For Petitioner : Mr. R. Thamarai Selvan

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



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ORDER

The petitioner is an accused in P.R.C.No.37 of 2023 pending on the file of the learned Judicial Magistrate, Denkanikottai, seeks bail.

2.Originally, Crime No.291 of 2022 had been registered for the offences under Sections 120(b), 302 of IPC.

3.It is stated that the petitioner did not appear before the Court on 17.07.2023 and Non Bailable Warrant has been issued against him and the petitioner had been remanded to custody on 01.08.2023. **One factor which plays on the mind of the Court was A2 was not secured.**

4.The learned Government Advocate(Crl side) submitted that A2 was arrested.

5. This Court appreciates the Superintendent of Police, Krishnagiri District, The Deputy Superintendent of Police, Krishnagiri District and The Inspector of Police, Thally Police station, Krishnagiri District for the efforts taken by them to secure the accused.

6.Taking all the factors into consideration and the period of



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incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner subject to the following conditions:

7. 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 learned **Judicial Magistrate Denkanikottai, Krishnagiri District** 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 Judicial Magistrate Denkanikottai, Krishnagiri District where P.R.C.No.37 of 2023 is pending, till the matter is committed to the Court of sessions and thereafter during the Court hearing dates before the Court of sessions.

[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



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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.

21.02.2024

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C.V.KARTHIKEYAN,J.

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To

- 1.The Judicial Magistrate, Denkanikottai, Krishnagiri District.
- 2.The Inspector of Police,
Thally Police Station,
Krishnagiri District.Crime No.291 of 2022
- 3.The Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.

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