



Crl.O.P.No.3839 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

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

Crl.O.P.No.3839 of 2024

Kanagaraj

...Petitioner

Vs.

State represented by
The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
(Crime No.158 of 2017)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.196 of 2018 on the file of the District and Sessions Judge, Nagapattinam in connection with Crime No.158 of 2017 on the file of the respondent Police.

For petitioner : Mr.J.Jagath Ratchagan

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



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ORDER

The petitioner is an accused in S.C.No.196 of 2018 pending trial before the learned District and Sessions Judge, Nagapattinam.

2.Originally, Crime No.158 of 2017 had been registered by the respondent Police for the offences punishable under Sections 147, 148, 201, 302 & 342 of IPC.

3.Since the petitioner did not appear before the Court, Non Bailable Warrant had been issued against him on 21.06.2023 and he was secured only on 16.10.2023.

4.It is stated by the learned Government Advocate (crl.side) that all the accused are regularly appearing before the Court.

5.Taking into consideration the period of incarceration and all other factors, 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 District and Sessions Judge, Nagapattinam and on further conditions that :-



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[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 District and Sessions Judge, Nagapattinam, on every Monday at 10.30 a.m., apart from the Court hearing dates, till completion of the 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.

[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.

19.02.2024

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C.V.KARTHIKEYAN. J.



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To

1. The District and Sessions Judge, Nagapattinam.
2. The Sub Jail, Nagapattinam.
3. The Inspector of Police,
Nagapattinam Town Police Station,
Nagapattinam District.
4. The Public Prosecutor, High Court of Madras.

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