



WEB COPY



Crl.O.P.No.4891 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM

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

Crl.O.P.No.4891 of 2024

Muthupandi

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore District.
(Crime No.92 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in S.C.No.99 of 2022 on the file of
the learned Sessions Judge for Bomb Blast Court, Coimbatore.

For Petitioner : Mr.S.Senthilvel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 06.11.2023 for the offences punishable under Sections 120(B), 147, 148,
294(b), 302, 307 and 341 of IPC and Section 3 of Tamil Nadu Public



Crl.O.P.No.4891 of 2024

Property (Prevention of Damage and Loss) Act, 1992, in Crime No.92 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner had earlier granted bail in Crl.O.P.No.1336 of 2023 by an order dated 23.01.2024 by the learned Single Judge of this Court. But however, the petitioner had absconding from judicial process necessitating issuance of Non Bailable Warrant on 13.10.2023. The petitioner had been secured only on 06.11.2023.

3. It is stated by the learned counsel for the petitioner that the petitioner had been arrested in yet another case and he was under judicial custody from 13.10.2023.

4.Taking all the factors into consideration and the period of incarceration, 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, (out of which, one must be a blood related surety and the same must be tested by the learned Magistrate concerned) each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Coimbatore and on further conditions that:-



Crl.O.P.No.4891 of 2024

WEB COPY

[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 Sessions Court for trial of Bomb Blast Cases, Coimbatore, everyday for a period of 20 days and thereafter, every Monday, apart from the Court hearing dates, till the 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.

13.03.2024

vkcr

C.V.KARTHIKEYAN, J.



WEB COPY



Crl.O.P.No.4891 of 2024

vkrr

To

- 1.The Judicial Magistrate No.V, Coimbatore.
2. The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore District.
- 3.The Central Prison, Coimbatore.
4. The Public Prosecutor, High Court of Madras.

Crl.O.P.No.4891 of 2024

13.03.2024