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Crl.O.P.No.4117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

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

Crl.O.P.No.4117 of 2024

Sathish Kumar

... Petitioner

Vs.

State Rep by its
The Inspector of Police,
Rathinapuri Police Station,
Coimbatore District
(Crime No.657 of 2015)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in pending trial in S.C.No.115 of
2016 on the file of the I Additional District and Sessions Judge, Coimbatore.

For Petitioner : Mr.W. Camyles Gandhi

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

ORDER

The petitioner who is an accused in in S.C.No.115 of 2016 on the
file of the I Additional District and Sessions Judge, Coimbatore, seeks bail.

2.Originally, Crime No.657 of 2015 had been registered for the



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offences under Sections 75(1)(c) of TNCP Act and 3(1) of TNPPDL Act in Crime No.657 of 2015 on the file of the respondent Police.

2. It is stated that Non Bailable Warrant has been issued against the petitioner on 06.03.2023 and him and the petitioner had been remanded to custody on 19.09.2023.

3. One factor which plays on the mind of the Court was A1 was not secured. The learned counsel for the petitioner submitted that A1 had been remanded in yet another case.

4. Taking into consideration 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 his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two fresh sureties, each for a like sum to the satisfaction of the **learned I Additional District Sessions Judge, Coimbatore** 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 I Additional District Sessions Judge, Coimbatore, where S.C.No.115 of 2016 is pending every



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Monday at 10.30 a.m., till completion of trial, apart from the Court 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.

28.02.2024

smn

To

- 1.The I Additional District Sessions Judge, Coimbatore
- 2.The Inspector of Police,
Rathinapuri Police Station,
Coimbatore District(Crime No.657 of 2015)
- 3.The Central Prison, Coimbatore
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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