



Crl.O.P.No.4313 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

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

Crl.O.P.No.4313 of 2024

Murugan @ Karigiri Murugan

...petitioner

Vs.

State represented by
The Sub Inspector of Police,
Vellore South L & O Police Station,
Vellore District.
(Crime No.559 of 2016)

...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.08 of 2024 on the file of the Additional District Judge, Fast Track Court, Vellore.

For petitioner : Mr.S.Silambuselvan

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

ORDER

The petitioner is arrayed as A10 in S.C.No.08 of 2024 pending trial before the learned Additional District Judge, Fast Track Court, Vellore, seeks bail.



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2.Originally crime No.559 of 2016 had been registered by the respondent Police for Man Missing and later, altered to Sections 120(B), 395 r/w 397, 364, 364A, 365, 343 and 302 r/w 34 and 308 of IPC.

3.The petitioner absconded from judicial process necessitating Non Bailable Warrant to be issued on 21.08.2023 and the petitioner was secured only on 05.11.2023.

4.There are totally 19 accused who are facing trial and one other accused is juvenile. All the accused are appearing before the Court regularly.

5.But however, taking all the factors into consideration and though there are 11 previous cases against the petitioner which had been considered at the time of granting bail, 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, (Out of which, one must be a blood related surety) each for a like sum to the satisfaction of the Judicial Magistrate No.I, Vellore and on further conditions that :-

[a] the sureties shall affix their photographs and Left



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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 trial Court, 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.

23.02.2024

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C.V.KARTHIKEYAN. J.



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To

1. The Judicial Magistrate No.I, Vellore.
2. The Central Prison, Vellore.
3. The Sub Inspector of Police,
Vellore South L & O Police Station,
Vellore District.
- 4.The Public Prosecutor, High Court of Madras.

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