



CrI.O.P.No.4774 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

CORAM

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

CrI.O.P.No.4774 of 2024

1.Maharaja @ Chinnamaharaja

2.Manikandan

...Petitioners

Vs.

State represented by

The Inspector of Police,

Udhagamandalam Town Central (B-1) Police Station,
Nilgiris District.

Crime No.191 of 2022

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.191 of 2022 on the file of the respondent Police.

For petitioners : Mr.S.Mayilnathan

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)

ORDER

The petitioners, arrayed as A1 and A4 in S.C.No.67 of 2024 now pending before the Assistant Sessions Judge, Nilgiris, seek bail.



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2.Originally, Crime No.191 of 2022 had been registered by the respondent Police under Sections 397, 395, 34 and 120B of IPC.

3.After investigation, the final report had been filed and the same has been taken cognizance as P.R.C.No.4 of 2024 before the Judicial Magistrate, Udthagamandalam, Nilgiris. Now, the matter has been committed to the Court of Sessions as S.C.No.67 of 2024 before the Assistant Sessions Judge, Nilgiris.

4.It is stated that as against these petitioners, Non Bailable Warrant was issued on 19.08.2023 and executed as against the first petitioner on 22.09.2023 and executed as against the second petitioner on 27.09.2023.

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

6.Taking all these factors into consideration and the period of incarceration into consideration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the



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satisfaction of the Judicial Magistrate, Udhagamandalam 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 petitioners shall report before the Assistant Sessions Judge, Nilgiris, on every Monday, apart from the Court hearing dates, till completion of the trial.

[c] the petitioners shall not abscond during the trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

07.03.2024

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate, Udhagamandalam.
2. The Central Prison, Trichirapalli.
3. The Inspector of Police,
Udhagamandalam Town Central (B-1) Police Station,
Nilgiris District.
4. The Public Prosecutor, High Court of Madras.

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