



CrI.O.P.No.4742 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

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

CrI.O.P.No.4742 of 2024

S.Surya

...petitioner

Vs.

State represented by
The Inspector of Police,
15 Velampalayam Police Station,
Tiruppur District.
Crime No.851 of 2022

...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.169 of 2023 pending on the file of the learned I Additional District Judge, Tiruppur.

For petitioner : Mr.A.Saranraj

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

ORDER

The petitioner is arrayed as A1 in S.C.No.169 of 2023 now pending trial before the I Additional District Judge, Tiruppur.



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2.Originally, crime No.851 of 2022 had been registered by the respondent Police for the offences under Sections 341, 342, 294(b), 323, 364(A), 365, 394 and 506(ii) IPC. The petitioner was remanded to judicial custody on 28.04.2023.

3.It must be stated that the petitioner has been earlier granted bail on 23.02.2023. It is further stated that since the petitioner had not been complied with the conditions, the learned Principal Sessions Judge, Tiruppur, by an order dated 31.03.2023, had cancelled the bail granted to the petitioner in CrI.M.P.No.656 of 2023. Thereafter, the petitioner had been taken into custody on 28.04.2023.

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

5. 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 **I Additional District Judge, Tiruppur** 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 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.

28.02.2024

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C.V.KARTHIKEYAN. J.

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To

1. The I Additional District Judge, Tiruppur.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
15 Velampalayam Police Station,
Tiruppur District.
4. The Public Prosecutor, High Court of Madras.

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