



Crl.O.P.No.5638 of 2024

WEB COPY

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.5638 of 2024

Sundaraj @ Vimalraj

...Petitioner

Vs.

State represented by
The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.

Crime No.214 of 2020

...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.14 of 2024 on the file of the IV Additional District and Sessions Judge, Coimbatore.

For Petitioner : Mr.M.N.Balakrishnan

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

ORDER

The petitioner is an accused in S.C.No.14 of 2024 now pending trial before the IV Additional District and Sessions Judge, Coimbatore, seeks bail.

2.Originally, Crime No.214 of 2020 had been registered by the



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respondent Police for the offences under Sections 120B, 364, 392 IPC r/w 397, 302, 201 and 404 of IPC and Section 83(2) of JJ Act, 2015.

3.The petitioner had been remanded to judicial custody on 14.12.2023 on execution of Non Bailable Warrant on 14.08.2023.

4.The learned counsel for the petitioner stated that the reason for non appearance was not deliberate. The other two accused are regularly appearing before the Court.

5.Taking all the factors into consideration and also of the fact that the bail had earlier been granted to the petitioner, 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 the blood related surety and the same must be tested by the learned Sessions Judge concerned), each for a like sum to the satisfaction of the learned IV Additional District and 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



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may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the learned IV Additional District and Sessions Judge, Coimbatore, 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.

13.03.2024

vkr

C.V.KARTHIKEYAN. J.

vkr



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To

1. The IV Additional District and Sessions Judge, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
Mettupalayam Police Station,
Coimbatore District.
4. The Public Prosecutor, High Court of Madras.

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