



Crl.O.P.No.8112 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2024

CORAM

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

Crl.O.P.No.8112 of 2024

Anandhraj

...Petitioner/A2

Vs.

State represented by
The Inspector of Police,
Kumarapalayam Police Station,
Namakkal District.
(Crime No.392 of 2015)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.392 of 2015 on the
file of the respondent police.

For Petitioner : Mr.M.Shakul Hameed

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



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ORDER

The petitioner/A2 who was arrested and remanded to judicial custody on 16.10.2023 for the offences registered by the respondent Police under Sections 448, 394 @ 452, 392 r/w 397 of IPC, in Crime No.392 of 2015, seeks bail.

2.It is stated that Non Bailable Warrant had been issued against the petitioner on 29.01.2018 and it was executed only on 16.10.2023. Non Bailable Warrant is still pending against A1 and A3.

3.Earlier petition seeking bail was dismissed on 16.03.2024 in Crl.O.P.No.5243 of 2024. It is seen that the matter is now pending as PRC No.7 of 2020 before the Judicial Magistrate, Kumarapalayam.

4.Taking all the factors into consideration and considering the period of incarceration suffered by the petitioner, 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 condition to execute a fresh bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two fresh sureties, out of which, one surety must be a blood surety and other surety must be a local surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Kumarapalayam,



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Namakkal District 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 appear before the Judicial Magistrate, Kumarapalayam, Namakkal District, daily at 10.30 a.m., till PRC No.7 of 2020 is committed to the Court of Sessions and thereafter, before the Sessions Court daily at 10.30 a.m., till completion of trial, quite apart from 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].

C.V.KARTHIKEYAN. J.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

08.04.2024

smv

To

1. The Judicial Magistrate, Kumarapalayam, Namakkal District.
2. The District Jail, Theni District.
3. The Inspector of Police,
Kumarapalayam Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

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