



Crl.O.P.No.8643 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.8643 of 2024

Hari Prasath

...Petitioner/Accused

Vs.

State represented by
The Inspector of Police,
Namagripet Police Station,
Namakkal District.
(Crime No.41 of 2024)

...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.41 of 2024 on the
file of the respondent police.

For Petitioner : Mr.C. Deepak Kumar

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



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ORDER

The petitioner / accused who was arrested and remanded to judicial custody on 20.02.2024 for the offences punishable under Sections 297 and 337 of IPC and subsequently, altered to Sections 279 and 304(ii) of IPC in Crime No.41 of 2024 on the file of the respondent, seeks bail.

2.It is stated that the petitioner and the deceased were riding together. At that time, there was an accident and the deceased fell down in the road.

3.Earlier petition seeking bail was dismissed on 14.03.2024 in Crl.O.P.No.5743 of 2024. It is seen that now the investigation is progressed to a substantial extent and the viscera report is alone awaited.

4.Taking that factor into consideration and 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



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condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Rasipuram 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 report before the respondent police daily at 10.30 a.m., until further orders.

[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, Rasipuram.
2. The Central Prison, Salem.
3. The Inspector of Police,
Namagripet Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

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