



Crl.O.P.No.9832 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

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

Crl.O.P.No.9832 of 2024

M.Sabari @ Sabarirajan

...Petitioner

Vs.

The State, represented by
The Inspector of Police,
Thirumuruganpoondi Police Station.
Crime No.181 of 2022

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner/Accused on bail in Crime No.181 of 2022 on the file of the respondent police.

For Petitioner : Mr.K.Kathiresan

For Respondent : Mr.V.J.Priyadarsana
Government Advocate (crl.side)

ORDER

The petitioner/A3 in Crime No.181 of 2022, originally registered for the offences under Sections 394 of IPC and later altered to Sections 394 & 397 of IPC, with respect to an occurrence which took place on



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13.03.2022, seeks bail.

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2. It is stated that the petitioner, and two other accused had assaulted the defacto complainant and caused blood injury. They also took away the bike of the defacto complainant.

3. It is stated that there are as many as 20 previous cases against the petitioner herein all of similar in nature.

4. The earlier petition seeking bail was dismissed on 05.02.2024 in Crl.O.P.No.513 of 2024. The change in circumstance is that subsequently, A1 and A2 had been remanded to custody and also released on bail. The investigation is also been completed and after filing charge sheet, it is now pending in S.C.No.220 of 2024 before the Principal Sessions Court at Tiruppur.

5. Taking into consideration all the factors, bail is granted to the petitioner subject to the following conditions:



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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, for a like sum to the satisfaction of the learned Principal Sub Court, Tiruppur 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, everyday 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].

[f] If the accused thereafter absconds, a fresh FIR



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can be registered under Section 229A IPC.

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To

- 1.The State, represented by
The Inspector of Police,
Thirumuruganpoondi Police Station.
2. The Central Prison, Madurai.
3. The Principal Sub Court,
Tiruppur.
- 4.The Public Prosecutor, High Court of Madras.
- 5.The Principal Sessions Court, Tiruppur.



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C.V.KARTHIKEYAN. J.

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