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CrI.O.P.No.11491 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2024

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THE HON'BLE MRS. JUSTICE **T.V.THAMILSELVI**

CrI.O.P.No.11491 of 2024

Raja @ Vasoor Raja

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sathuvachari Police Station.
(Crime No.979 of 2013)

... Respondent

PRAYER : Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in P.R.C.No.19 of 2018 pending on
the file of the Judicial Magistrate No.V, Vellore.

For Petitioner : Mr.A.Saranraj

For Respondent : Mr.V.Meganathan
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 09.07.2023 through PT warrant, pursuant to the non-bailable warrant of



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arrest issued against him on 31.10.2022, in P.R.C.No.19 of 2018 pending on the file of the learned Judicial Magistrate No.V, Vellore, in connection with Crime No.979 of 2013 registered for the offences under Sections 147, 148, 323, 294(b), 392, 397 and 506(ii) of IPC, seeks bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in P.R.C.No.19 of 2018, pending on the file of the learned Judicial Magistrate No.V, Vellore. He further submitted that since the petitioner was arrested in some other case, he was unable to appear before the trial Court on 31.10.2022 and thereby, the trial Court has issued a Non Bailable Warrant of arrest against him. Pursuant to which, the petitioner was arrested in this case by the respondent through PT warrant on 09.07.2023. He also submitted that the detention order passed against the petitioner was also revoked by this Court in H.C.P.No.1674 of 2023 vide order dated 19.12.2023. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and also undertakes that he will appear before the trial Court on all hearing dates without fail, therefore, he prayed for granting bail to the petitioner.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent opposed for granting bail to the petitioner stating that the petitioner/A1, who is an accused facing trial in P.R.C.No.19 of 2018, pending on the file of the learned Judicial Magistrate No.V, Vellore, has failed to appear before the trial Court on 31.10.2022, and thereby, pursuant to the Non-Bailable Warrant issued against him, he was formally arrested on 09.07.2023. He further submitted that the petitioner is the habitual offender against whom there are 52 previous cases and out of which 39 cases are still pending. Hence, if he is released on bail, there is a possibility of him absconding the not available for further proceedings.

4. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the undertaking given by the petitioner and in other cases he availed with bail, this Court is inclined to grant bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)**



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with **two sureties** (out of which, one surety shall be the blood related surety), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.V, Vellore**, 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 respondent Police everyday at 10.30 a.m. and 5.30 pm., for a period of four months, apart from the Court hearing dates, failing which, the bail shall be cancelled automatically;

[c] the petitioner after coming out on bail shall file an Affidavit of Undertaking to the effect that he will co-operate for speedy disposal of the trial;

[d] the petitioner shall not abscond during trial;

[e] the petitioner shall not tamper with evidence or witness during trial;

[f] 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



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in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

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

06.06.2024

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To

1. The Judicial Magistrate No.V,
Vellore.
2. The Inspector of Police,
Sathuvachari Police Station.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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