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CrI.O.P.No.30645 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.30645 of 2024

Vijay

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Cuddalore OT Police Station,
Cuddalore.
(Crime No.106 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioner on bail in
P.R.C.No.18 of 2020 in connection with Crime No.106 of 2020 on the file of
the respondent.

For Petitioner : Mr.K.Raveendran

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI.Side)

ORDER

Petition seeking bail in respect of P.R.C.No.18 of 2020, in
connection with Crime No.106 of 2020 registered for the offences



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punishable under Sections 147, 342, 364, 120(B), 201 and 302 of IPC, is on board for consideration.

2. Learned counsel for the petitioner submits that the petitioner is arrayed as first accused in P.R.C.No.18 of 2020 and since the petitioner was not aware of the case, he failed to appear before the trial Court, thereby, the trial Court has issued a Non Bailable Warrant of arrest against him on 11.03.2021 and pursuant to the same, he was arrested on 24.11.2024. He further submits that the petitioner undertakes that he will appear before the trial Court on all hearing dates without fail and he will co-operate for speedy disposal of the trial. Hence, he prayed for grant of bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent, while objecting for grant of bail, submits that the petitioner is arrayed as A1 in Crime No.106 of 2020 and the case was committed to the Principal Sessions Court and it is yet to be numbered. He further submits that there are seven accused in this case and the non-bailable warrant pending against the other accused was also executed. He also submits that the Non-Bailable Warrant of arrest issued against the petitioner on 11.03.2021 was executed on 24.11.2024 at Odissa. He further submits that the case now stands posted on 10.02.2025, therefore, if the petitioner, who has two



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previous cases, is released on bail at this stage, there is every possibility of him absconding and derailing the progress of the trial.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions and accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties** (out of which, one surety should be a blood related surety of the petitioner), each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Cuddalore**, 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 learned **Principal Sessions Judge, Cuddalore**, on all working days at **10.30 a.m., until further orders;**

[c] the petitioner shall not abscond during trial and shall co-operate for speedy disposal of the trial;



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[d] the petitioner shall not tamper with evidence or witness during 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 269 of B.N.S.

06.01.2025

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To

1. Principal Sessions Judge, Cuddalore.
2. The Judicial Magistrate No.II
Cuddalore.
3. The Inspector of Police,
Cuddalore OT Police Station,
Cuddalore.
4. The Superintendent,
Central Prison, Cuddalore.
5. The Public Prosecutor,
High Court of Madras.

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