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**(2023) 11 MAD CK 0131**

**Madras High Court**

**Case No:** Criminal Original Petition No. 26430 Of 2023

Vallarasu

APPELLANT

Vs

State

RESPONDENT

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**Date of Decision:** Nov. 21, 2023

**Acts Referred:**

- Indian Penal Code, 1860 - Section 229A, 392

**Hon'ble Judges:** C.V.Karthikeyan, J

**Bench:** Single Bench

**Advocate:** A.Saranraj, R.Kishore Kumar

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### **Judgement**

C.V.Karthikeyan, J

1. The petitioner/A2 seeks bail in C.C.No.23 of 2023 now pending before the learned Judicial Magistrate, Palladam.

2.Originally, Crime No.721 of 2022 had been registered under Section 392 of IPC. The petitioner had been remanded to judicial custody after being secured on execution of Non Bailable Warrant on 17.08.2023.

3.A1 has also surrendered before the Court. It is stated by the respondent that both the accused are now facing trial before the Judicial Magistrate, Palladam.

4. In view of these facts, 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 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, Palladam 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 Judicial Magistrate, Palladam, on every Monday, apart from the Court hearing dates, till completion of the trial;

[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 can be registered under Section 229A IPC.