

IN THE COURT OF THE JUDICIAL MAGISTRATE,

FAST TRACK COURT, HOSUR

**PRESENT: Tmt. C. Savithra, B.E., L.L.B.,
Judicial Magistrate, (FAC)
Fast Track Court, Hosur.**

Wenesday the 19th day of June 2024

Cr.M.P. No.653/2024

Raja (23). S/o.Marappa,
Bashawesvara Street,
Chinna Elasagiri,
Sipcot, Hosur.

..... Petitioner / Accused.

//Vs//

The Sub Inspector of Police,
Sipcot P.S. Hosur.
Cr.No.74/2009 in CC.No.33/2016
U/s.323, 324, 506 (ii), 435 IPC

..... Respondent / Complainant.

For Petitioner : Thiru. M.Praveen Kumar, Advocate.
For Respondent : Thiru. U.C. Theerthamalai, APP.

This petition taken on file on 30.05.2024 and coming up for final hearing on 19.06.2024 upon hearing the arguments and upon perusal of the records and having stood over for consideration till this day, this court delivers the following.

ORDER

Petition U/s. 437 of Cr.P.C. to grant the Bail.

1). It is seen that the petitioner/accused has filed this petition U/S 437 Cr.P.C. The petitioner/accused Raja (23) S/o.Marappa, was continuously absent during trial of CC No:33/2016. Hence Non Bailable Warrant was issued against accused Raja (23). S/o.Marappa, The Police executed Non Bailable Warrant and produced the accused Raja (23). S/o.Marappa, before this court on 21.05.2024 and as the reason stated by accused was not satisfactory for his absence during trial, he was remanded to Judicial Custody.

2). As per the Averments of petitioner that the police has foisted false case against

accused, Petitioner/Accused is innocent, Petitioner/Accused having permanent residence and Petitioner/Accused is ready for producing the sureties to the satisfaction of this Court and trial will appear before this court without fail during future.

3). The Police stating in his reply, If the accused is released on bail he may abscond may not appear at the time of trial. Hence they oppose strongly for the release of the accused. Hence they oppose strongly for the release of the accused.

4). Heard both side rival contentions. All relevant records perused.

5). Considering the above facts and circumstances of this case and also the period of incarceration of the petitioner/accused from the date of arrest i.e. 21.05.2024, this Court is inclined to grant bail to the petitioner/accused on the following conditions.

- i) The petitioner/accused is ordered to be released on bail on his executing a **bond** for a sum of **Rs.5000/- with two sureties** for like sum.
- ii) The sureties shall affix their photographs and left thumb impression in the surety bond and shall furnish a copy of their Aadhar card or Bank pass book to ensure their identity;
- iii) The petitioner/accused shall appear and sign **before the respondent Police Station daily at 10.00 A.M. for a period of 1 Week.**
- iv) The petitioner/accused shall provide his residential address, to the respondent police, and, in change of the residential address the same shall be intimated to the respondent police;
- v) The petitioner/accused shall cooperate with the respondent police, he shall not threaten the witnesses and he shall not induce the witnesses;
- vi) The petitioner/accused shall appear before this Court on every hearing date,
- vii) This Court is entitled to take appropriate action against the petitioner/accused, in accordance with law, on breach of any of the aforesaid conditions and
- viii) If the petitioners/accused thereafter abscond, a fresh F.I.R. shall be registered under Section 229 A IPC.

**Judicial Magistrate,
Fast Tract Court,
Hosur. (FAC).**