

Crl.O.P.No. 9822 of 2016**P.KALAIYARASAN, J.**

The petitioner, who is arrayed as accused, was arrested and remanded to judicial custody on 26.03.2016 for the alleged offences punishable under Sections 147, 148, 342, 294(b), 307, 365 and 302 IPC, in Crime No.277 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that one day prior to the occurrence, the deceased, namely, Mohan had attacked one of the friends of the accused, namely, Balaji. For taking revenge, on 18.05.2015, all the accused kidnapped the deceased and assaulted him with deadly weapons due to which, the deceased sustained grievous injuries and thereafter died.

3.Learned counsel appearing for the petitioner submits that the co-accused have already been released on bail by this Court in Crl.O.P.No. 16073 of 2015 dated 16.07.2015 and also anticipatory bail by this Court in Crl.O.P.No. 29786 of 2015 dated 22.02.2016 and the petitioner is an innocent person and he has been falsely implicated as accused in the present case. It is further submitted that the date of occurrence is 18.05.2015 and the petitioner is in judicial custody from 26.03.2016.

4.Learned Additional Public Prosecutor appearing for the respondent vehemently opposed the bail petition contending that there are totally 13 accused

P.KALAIYARASAN, J.

vsg/gya

and this petitioner has been arrayed as A-3 and the fatal injury was caused by this petitioner. However, he concedes that the occurrence is said to have been taken place on 18.05.2015 and all the co-accused have been released on bail. It is further submitted that the investigation has been completed and the charge sheet has also been filed, which was not taken on file.

5.Considering the facts and circumstances of the case, the fact that the charge sheet has already been filed, duration of the custody and release of co-accused on bail, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum, to the satisfaction of the learned Judicial Magistrate, Arakkonam and on further condition that the petitioner shall report before the respondent police daily twice at 10.00 a.m., and 05.00 p.m., until further orders.

04.05.2016

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Crl.O.P.No. 9822 of 2016