

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.09.2020

CORAM :

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

CRL.O.P.No.7381 of 2020

K.Santhosh Kumar

... Petitioner

Vs.

Inspector of Police,  
Latheri Police Station,  
K.V.Kuppam Taluk,  
Katpadi Taluk,  
Vellore District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner/accused on bail in Crime No.18 of 2020 on the file of the Inspector of Police, Latheri Police Station, K.V.Kuppam Taluk, Katpadi Taluk, Vellore District.

For Petitioner : Mr.D.Rajagopal

For Respondent : Mr.T.Shunmugarajeswaran  
Government Advocate (Crl. Side)

O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 21.02.2020 for the offences punishable under **Sections 302, 380, 120(B) IPC in Crime No.18 of 2020**, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the defacto complainant Ravindran is that on 17.01.2020 at 5.30 p.m., when he had entered into the house after attending the village festival at Keelamuttugur Village, the door was locked inside. On suspicion, he jumped on the wall and entered into the house and found his foster mother Sarojammal dead with injuries. Hence, the complaint.

3. The learned Counsel for the petitioner would submit that the petitioner was granted interim bail by this Court 30.04.2020 and now the investigation has been completed. Hence, he prays that the interim bail granted to the petitioner may be made absolute.

4. The learned Government Advocate (Cr1.Side) would submit that the investigation has been completed and final report has been filed before the learned Judicial Magistrate, Katpadi on 05.09.2020 and the same is yet to be taken on file.

5. Taking into consideration of the facts and circumstances and the submissions made by the learned counsels and the fact that the investigation has been completed and final report has been filed, the interim bail granted by this Court is made absolute subject to the following conditions:

(a) Accordingly, the petitioner is directed 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, Katpadi, Vellore District, within a period of two weeks from the date of commencement of the Court's normal functioning**, failing which the interim bail granted by this Court shall stand dismissed automatically;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

(f) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

**6. With the above directions, this Criminal Original Petitions are ordered.**

-sd/-  
18/09/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
KATPADI, VELLORE DISTRICT

2 THE SUPERINTENDENT,  
CENTRAL PRISON, THORAIPADI, VELLORE

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE  
LATHERI POLICE STATION, K.V. KUPPAM TALUK,  
KATPADI TALUK, VELLORE DISTRICT

CC to M/S.D. RAJAGOPAL Advocate on payment of necessary charges

CRL OP.7381/2020

Date : 18/09/2020

GKS:22/09/2020

WEB COPY