



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.05.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.Nos.7705, 7706, 7863 & 7874 of 2020

Sugan	... Petitioner/Accused No.2 in Crl.O.P.No.7705 of 2020
1.Jayaprakash 2.Ranjith kumar	... Petitioners/Accused Nos.3 & 4 in Crl.O.P.No.7706 of 2020
P.Tamilzharasan	... Petitioner/Accused No.5 in Crl.O.P.No.7863 of 2020
Rasaiya	... Petitioner/Accused No.9 in Crl.O.P.No. 7874 of 2020

Vs.

State rep.by The Inspector of Police, E-1, Ponneri Police Station, Thiruvallur District. (Crime No.103 of 2020)	... Respondent/Complainant in all cases
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COMMON PRAYER: Criminal Original Petitions are filed under Section 439 of Cr.P.C., praying, to enlarge the petitioners on Bail in Crime No.103 of 2020 pending investigation on the file of the Inspector of Police, E-1, Ponneri Police Station, Thiruvallur District.

For Petitioner	: Mr.N.Sudharsan in Crl.O.P.Nos.7705 & 7706 of 2020
For Petitioner	: Mr.M.Sathyasai Eswari in Crl.O.P.No.7863 of 2020
For Petitioner	: Mr.M.Vinoth in Crl.O.P.No.7874 of 2020
For Respondent	: Mr.S.Karthikeyan, Additional Public Prosecutor in all cases



4. Considering the same and the period of incarceration of the petitioners, the petitioners are of young age who are all from the Aaladur Village, the deceased being rowdy elements, had many enemies since their body was found near the Volleyball playground. It cannot be said Volleyball players have attacked and committed murder. Taking into consideration of the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

(a) the petitioners shall execute own bond for a sum of Rs.10,000/- each (Rupees Ten thousand only), before the Superintendent of the concerned prison in which the petitioner are confined on their release;

(b) the petitioners shall execute two sureties for a sum of Rs.10,000/- each (Rupees Ten thousand only), before the concerned Magistrate on or before 01.07.2020, failing which the bail granted by this Court shall stand dismissed automatically;

(c) 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;

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

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

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

(g) the petitioners shall report before the respondent Police as and when required for interrogation.

(g) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 Petition is ordered.

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-sd/-
28/05/2020

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 NO.II,
PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
PONNERI POLICE STATION,
TIRUVALLUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

6 THE SUB JAIL,
TIRUTTANI

CC to M/S. N.SUDHARSAN Advocate on payment of necessary charges

CRL OP.7705/2020

Date :28/05/2020

TA-06/08/2020