



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.07.2020

CORAM :

WEB COPY

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

CrI.O.P.No.10387 of 2020

Padmanaban

... Petitioner

Vs.

State rep. by its
The Inspector of Police
Panruti Police Station
Cuddalore District
(Cr.No.346 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to enlarge the petitioner on bail in Crime No.346 of 2020 pending investigation on the file of the Respondent Police.

For Petitioner : Mr.S.Senthil Kumar

For Respondent : Mr.Shunmugarajeswaran
Government Advocate(CrI. Side)

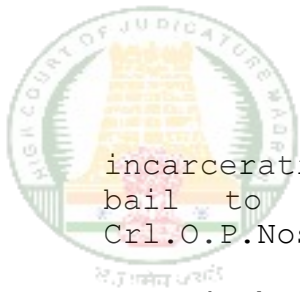
O R D E R

(The case has been heard through video conference)

The petitioner, who was arrested and remanded to judicial custody on 17.04.2020 for the offence punishable under Section 147, 148, 324, 307 and 302 IPC, in Crime No.346 of 2020, seeks bail.

2. The case of the prosecution is that due to intra party political dispute between the members of the group belonging to the de-facto complainant group and the accused group, the accused persons on 14.04.2020 at about 23.30 hours, committed the murder of one Balaji and Manikandan belonging to the rival group. The respondent police registered a case based on the complaint given by the relative of the deceased.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case.He would further submit that there was rivalry enmity between two groups in the same party and since the petitioner belongs to the rival group the de-facto complainant,in order to wreck vengeance had given a false complaint against the petitioner with a political motive.
he would further submit that the petitioner is suffering



incarceration for more than 86 days. This court has also granted bail to the co-accused vide order dated 19.06.2020 in CrI.O.P.Nos.9053, 8307, 8309 and 8557 of 2020.

4. The learned Government Advocate (Criminal Side) would submit that due to intra party dispute between members of the same political party, the petitioner along with other accused had committed the double murder. There are totally 22 accused in this case, out of which 20 accused are named accused in the FIR. He would further submit that bail has been granted to the co-accused by this Court vide order dated 19.06.2020 in CrI.O.P.Nos.9053, 8307, 8309 and 8557 of 2020. The specific overt act against this petitioner is that he has inflicted injury with machetes on the left leg of one of the deceased.

5. Taking into consideration of the facts and circumstances, considering the submissions made by the learned counsels, the petitioner is suffering incarceration for more than 86 days and the co-accused in this case have also been granted bail, this Court is inclined to grant bail to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter on his release;

(b) the petitioner shall execute **two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each**, before the learned Judicial Magistrate No.1, Panruti, Cuddalore District, within 15 days from the date of lifting of the lockdown and the commencement of the Court's normal functioning, 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 petitioner shall stay at Trichy and report before the Trichy Cantonment Police Station daily at 10.30 a.m. until further orders.**

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

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



6 THE OFFICER INCHARGE,
TRICHY CANTONMENT POLICE STATION,
TRICHY.

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CC to M/S. S.SENTHIL KUMAR Advocate on payment of
necessary charges

CRL OP.10387/2020

Date :10/07/2020

GKS (CS) :12/08/2020