

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7659 of 2021

Nareshkumar

... Petitioner

Vs.

State By

Inspector of Police,
Barur Police Station,
Krishnagiri District.
(Crime No.41 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.41 of 2021 on the file of Inspector of Police, Barur Police Station, Krishnagiri District.

For Petitioner : Mr.S.Sasikumar

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The petitioner who was arrested and remanded to judicial custody on 06.03.2021 for the offence under Section 302 of IPC in Cr.No.41 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that due to family dispute, the petitioner committed murder of the deceased. The petitioner is the son - in - law of the deceased.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution.

4.The learned Additional Public Prosecutor submitted that there is no previous case pending as against the petitioner.

5.Considering the period of incarceration undergone by the petitioner, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pochampalli, Krishnagiri District and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police, daily at 10.30 a.m. in the morning and at 5.30 p.m. in the evening until further orders;

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

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

(e) on breach of any of the aforesaid conditions, the learned 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]; and;

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

-sd/-

29/04/2021

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

TRUE COPY

सत्यमेव जयते

Sub-Assistant Registrar (Statistics/C.S.)

High Court, Madras - 600 104.

WEB COPY

TO

1 THE JUDICIAL MAGISTRATE,
POCHAMPALLI, KRISHNAGIRI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
BARUR POLICE STATION,
KRISHNAGIRI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

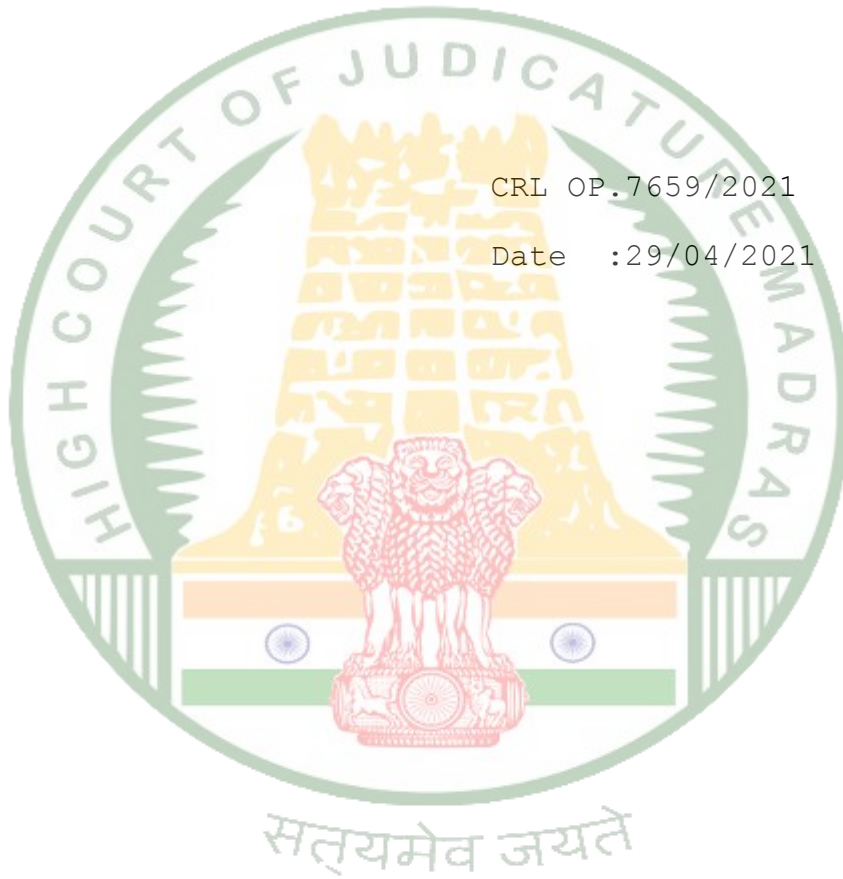
6 THE OFFICER INCHARGE,
SUB JAIL, TIRUCHENGODE

CC to M/S.S.SASIKUMAR Advocate on payment of necessary charges
Sr.5541

CRL OP.7659/2021

Date :29/04/2021

RVR 30/04/2021



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