

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.05.2021

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

CRL.OP.No.9154 of 2021

Saranraj

.. Petitioner

Versus

The State,
Rep., by the Inspector of Police,
Vellore North Police Station,
Vellore District.
(Crime No.194/2021)

.. Respondent

Prayer:- Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure seeking to enlarge the petitioner on bail in Crime No.194/2021 pending investigation on the file of the respondent police station.

For Petitioner : Mr.S.Thirugnanam

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 01.04.2021 for the offences punishable under Section 294(b), 307 @ 294(b), 302 IPC in Crime No.194/2021, on the file of the respondent police, seeks bail.

2. It is seen from the submissions that one Alis was running a grocery shop in a complex. The accused said to have threatened the said Alis to vacate the shop. The deceased said to have supported Alis and questioned the accused as to why they are making quarrel with Alis. The petitioner said to have warned the deceased not to interfere with their affair. However there was a wordy quarrel between them. On 31.03.2021 at about 12.30 p.m, on a phone call received from the accused, the deceased had gone to the place of occurrence, where he was said to have been attacked by the accused with deadly weapons, which caused his death.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the third accused in this case. He was not involved in this case. Therefore, he seeks release of the petitioner on bail.

4. The learned Additional Public Prosecutor opposes this petition on the ground that all the three accused had specific overtact and prays for dismissal of this petition.

5. Taking note of the facts and circumstances of the case, the fact that the petitioner is in judicial custody from 01.04.2021 and the fact that he has no bad antecedents and also the fact that substantial part of the investigation is over, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on each of them executing 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 IV, Vellore 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 am., until further orders.

c) the petitioner shall not abscond either during investigation or trial.

d) the petitioner shall not tamper with evidence or witness 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].

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

-sd/-

13/05/2021

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 IV,
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
VELLORE NORTH POLICE STATION,
VELLORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

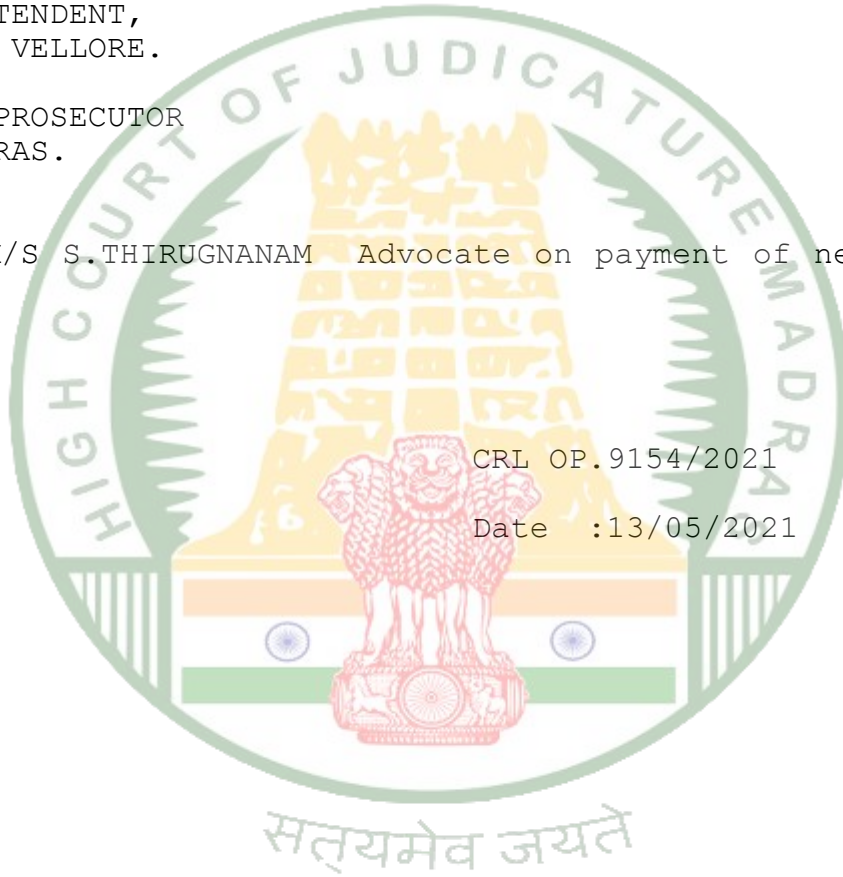
5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S S.THIRUGNANAM Advocate on payment of necessary charges
SR.NO. 6151

CRL OP.9154/2021

Date :13/05/2021

MN-17/05/2021



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