



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.13369 of 2021

Tollgate Jayaraman @ Jayaraman
S/o.Perumal Nadar

.. Petitioner

Vs.

State By
The Inspector of Police,
Thiruchengode Town Police Station,
Thiruchengode.
Cr.No.386 of 2021.

.. Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C prayed to grant bail to the petitioner in Crime No.386 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.M.Ezhilarasu

For Respondent : Mr.A.Gopinath
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested on 09.05.2021 and remanded to judicial custody for the offence under Section 302 altered to 147, 148, 341, 120(b) and 302 of IPC in Cr.No.386 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that because of the business competition, the petitioner along with other accused persons, attacked the defacto complainant's husband and caused his death. On receiving information, the defacto complainant has lodged a complaint before the respondent Police.

3. The learned counsel for the petitioner submitted that the petitioner is in no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 09.05.2021. He further submits that this Court had already granted bail to the co-accused in CrI.O.P.No.11084 of 2021 dated 29.06.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (CrI.Side) vehemently opposed the grant of bail by stating that the petitioner and other accused persons had brutally murdered the deceased due to previous enmity and the investigation is almost completed.



5. Considering the facts of the case and for the co-accused this Court had already granted bail and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

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, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruchengode, 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. 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/-
02/08/2021

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,
TIRUCHENGODE.

2 THE CHIEF JUDICIAL MAGISTRATE,
NAMAKKAL DISTRICT (FOR INFORMATION)



3 THE INSPECTOR OF POLICE,
THIRUCHENGODE TOWN POLICE STATION,
THIRUCHENGODE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM-7

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.13369/2021

Date :02/08/2021

INBA 03/08/2021