



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.13622 of 2021

1. Santhosh @ Santhosh Babu ... Petitioners
2. Chandru @ Jayachandru

Vs.

State, Rep by its ... Respondent
The Inspector of Police,
Thiruthani Police Station,
Tiruvallur District.
(Crime No.966 of 2021)

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail pending investigation in Crime No.966 of 2021 on the file of the respondent police.

For Petitioners : Mr.D.Dayalan

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl side)

ORDER

The petitioners, who were arrested on 23.06.2021 and remanded to judicial custody for the offence under Section 302 of IPC, in Cr.No.966 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the deceased had married the sister of A1, there was a wordy quarrel between A1 and the deceased, as a result of which, the petitioners along with A1 had murdered the deceased. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and further that they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submits that the petitioners are friends of A1, they were implicated in this case. Hence prays for grant of bail.

4. The learned Government Advocate (Crl.Side) submitted that there is no previous case pending against the petitioners and the investigation is pending.



5. Considering the period of incarceration suffered by the petitioners and there is no previous case pending against them, this Court is inclined to grant bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Thiruthani, 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 petitioners shall report before the respondent police, daily at 10.30 a.m., until further orders.

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

(d) the petitioners 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 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]**; and;

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

-sd/-
05/08/2021

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,
<https://hcservices.ecourts.gov.in/hcservices/>
THIRUTHANI.



2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S D.DAYALAN Advocate on payment of necessary charges
SR.NO.8184

CRL OP.13622/2021

Date :05/08/2021

TA-06/08/2021