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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.15176 of 2021

Sathish Kumar

... Petitioner

Vs.

The State rep. By
The Inspector of Police,
Hudco Police Station,
Krishnagiri District.
(Crime No.189 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to grant bail to the petitioner pending investigation in Crime No.189 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Sundarapandiyan

For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 11.07.2021 for the offence under Sections 364, 302, 201 of I.P.C. @ Sections 364, 302, 201, 147, 148 of I.P.C. in Crime No.189 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused is alleged to have kidnapped the deceased and committed murder.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that the co-accused has already been enlarged on bail.

4.Heard the submissions made by the learned Government Advocate (Criminal Side).



5. Considering the fact that the co-accused has already been enlarged on bail and 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 No.II, Hosur 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. for a period of two weeks and thereafter as and when required for interrogation;

(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 petitioners 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/-

25/08/2021

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

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE JUDICIAL MAGISTRATE NO.II,
HOSUR.

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2 THE CHIEF JUDICIAL MAGISTRATE,
KRISHNAGIRI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
HUDCO POLICE STATION,
KRISHNAGIRI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.B.SUNDARAPANDIYAN Advocate on payment of necessary
charges SR.NO.9030

CRL OP.15176/2021

Date :25/08/2021

CSK 26/08/2021