



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.15520 of 2021

WEB COPY

Manikandan
Son of Kaliyan

... Petitioner

Vs.

The State rep by,
The Inspector of Police,
Maruvathur Police Station,
Perambalur District.
(Crime No.386 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C prayed to enlarge the petitioner on bail pertaining to Crime No.386 of 2021 pending investigation on the file of the respondent.

For Petitioner : Mr.R. Sankara Subbu

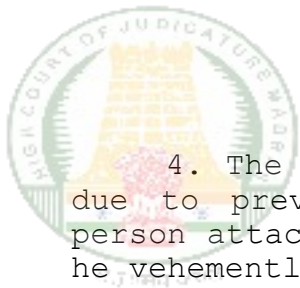
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 01.08.2021 for the offences under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of I.P.C altered to 147,148,294(b). 323, 324, 506(ii), 302 of I.P.C in Crime No.386 of 2021 on the file of the respondent police, seeks bail.

2. Totally there are eight accused in this case and the petitioner herein arrayed as A8. The case of the prosecution is that due to previous enmity the petitioner along with other accused person attacked the deceased with knife and caused his death. Hence, the law enforcing agency registered a case against the petitioner and other accused persons.

3. The learned counsel for the petitioner submitted that the petitioner is the relative of the the main accused due to which he has been falsely implicated in this case. He further submits that the main accused who are having specific over tact are being detained under TN Act 14. He further submits that the petitioner has been jail from 01.08.2021. Hence he prays for grant of bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the due to previous enmity the petitioner along with other accused person attacked the deceased with knife and caused his death. Hence, he vehemently opposed for grant bail to the petitioner.

5. Considering the fact that there is no specific over act against the petitioner 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 No.II, Perambalur 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/-

27/08/2021

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.



1 THE JUDICIAL MAGISTRATE,
NO.II, PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
MARUVATHUR POLICE STATION,
PERAMBALUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.15520/2021

Date :27/08/2021

JPA 31/08/2021