



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.16027 of 2021

1. Chennama
2. Devi Ramalingam
3. Sangeetha

... Petitioners

Vs.

State rep by
The Inspector of Police,
B-2 Thiruvallur Taluk Police Station,
Thiruvallur
(Crime No.419 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.419 of 2021 on the file of the respondent police.

For Petitioner : Mr.R. Gomathi

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

ORDER

The petitioner who was arrested on 19.07.2021 and remanded to, judicial custody for the offence under Sections 147,148, 448,307,324 302 and 506(ii)of IPC, in Crime No.419 of 2021 on the file of the respondent police, seeks bail.

2. The accused persons involved in this case and the petitioners herein arrayed as A4 to A6. The case of the prosecution is that the one Sathya said to have illegal intimacy with the deceased and the petitioners who are neighbours to the said Sathya questioned the same, there was a dispute among them and the deceased attacked the petitioners and the same was prevented by the petitioners, as a result of which the deceased sustained serious injuries and died. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 19.07.2021. Therefore, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending against the petitioners. However, he vehemently opposed for grant of bail to the petitioners.

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

6. Accordingly, the petitioners are 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, Ponneri, 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/-

06/09/2021

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, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUALLUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,
B-2, THIRUVALLUR TALUK POLICE STATION,
THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
SPECIAL PRISON FOR WOMEN,
PUZHAI, CHENNAI

CC to M/S R.GOMATHI Advocate on payment of necessary charges
Sr.9563

CRL OP.16027/2021

Date :06/09/2021

RVR 07/09/2021