



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.16512 of 2021

1.K.Bakthavachalam
2.B.Ajith

... Petitioners

Vs.

State by
The Inspector of Police,
Vengal Police Station,
Thiruvallur District.
(Crime No.486 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail pending investigation in Crime No.486 of 2021 on the file of the Inspector of Police, Vengal Police Station, Thiruvallur.

For Petitioners : Mr.T.Ravi

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

ORDER

The petitioners who were arrested and remanded to judicial custody on 20.08.2021 for the offence under Sections 341, 294(b), 324, 355 and 306 of I.P.C. in Crime No.486 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that A1 and deceased are brothers and there was property dispute inbetween them. Hence, the petitioners along with the other accused are alleged to have abused the deceased, due to which, he committed suicide.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate (Criminal Side) submitted that the accused attacked the deceased with chappals.

5.Considering the period of incarceration undergone by the petitioners, I am inclined to grant bail to the petitioners.



6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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.1, Thiruvallur 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. for a period of two weeks and thereafter as and when required for interrogation;

(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 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/-

09/09/2021

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.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE,
THIRUVALLUR. [FOR INFORMATION]



3 THE INSPECTOR OF POLICE,
VENGAL POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, THIRUVALLUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.16512/2021

Date :09/09/2021

CSK 09/09/2021