



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.Nos.16447 and 16506 of 2021

1.Selvaraj
2.Subhashsankar ... Petitioners in Crl.O.P.16447/2021

1.Velusamy
2.Elayaraja ... Petitioners in Crl.O.P.16506/2021

Vs.

State rep. by its
The Sub Inspector of Police,
Mohanur Police Station,
Namakkal District.
(Crime No.614 of 2021) ... Respondent in both Crl.O.Ps.

Common Prayer:

Petitions filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in Crime No.614 of 2021 on the file of the respondent police.

For Petitioners : Mr.W.Camyles Gandhi
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

COMMON ORDER

The petitioners who were arrested and remanded to judicial custody on 19.08.2021 for the offence under Sections 309, 285, 353, 506(i), 306 r/w.116 of I.P.C. in Crime No.614 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that the petitioners are alleged to have poured kerosene over themselves and attempted to commit suicide in front of the police station.

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



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

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 - II, Namakkal 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.



1 THE JUDICIAL MAGISTRATE II
NAMAKKAL

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
MOHANUR POLICE STATION,
NAMAKKAL DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to M/S.W.CAMYLES GANDHI Advocate on payment of necessary
charges SR.No.9793,9794

CRL OP.16447/2021

Date :09/09/2021

APN 09/09/2021