



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.No.17119 of 2021

1. A.Susanth Chinnu
2. V.Sriram
3. Anbazhagan

... petitioners

Versus

State represented by
The Inspector of Police,
Velampalayam Police Station,
Tiruppur city,
Tiruppur District.
(Crime No.1412 of 2021)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of the Code of Criminal Procedure, to release the petitioners on bail pending investigation in Crime No.1412 of 2021 on the file of the respondent.

For petitioners : Mr.C.S.Saravanan

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

ORDER

The petitioners who were arrested on 04.08.2021 and remanded to judicial custody for the offences under Sections 294(b), 323,325,427 and 302 of IPC in Crime No.1412 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant married one Mayangathal and due to difference of opinion she went to her parental home. Thereafter, the defacto complainant married one Sakunthala, and she passed away nine years ago and the deceased/first wife of the defacto complainant/ Mayangathal started to live with the defacto complainant. Due to the wedlock between the defacto complainant and the said Sakunthala they have two sons by name Karthick and Saravanakumar and the elder son/Karthick married the



first daughter of the third petitioner. The younger son by name Saravanakumar fell in love with the second daughter/lavanya of the third petitioner, due to which there was a dispute in the family and the petitioners who are the family members of the said lavanya pushed the deceased and thereby the deceased sustained severe head injuries and died. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and he has been falsely implicated in this case and the petitioners have been in jail from 04.08.2021. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submits that the investigation was completed and there is no previous case as against the petitioners. Hence, he vehemently opposed for grant of bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the period of incarceration suffered by 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) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Tiruppur 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 until further orders.

(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 petitioners 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/-
17/09/2021

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.III, TIRUPPUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
VELAMPALAYAM POLICE STATION,
TIRUPPUR CITY, TIRUPPUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S. C.S.SARAVANAN Advocate on payment of necessary charges

CRL OP.17119/2021

Date :17/09/2021

JPA 20/09/2021