



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.17717 of 2021

Rukmanadhan

.. petitioner

Vs.

State Rep By
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District
Cr.No.1110 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.1110 of 2021 pending on the file of the respondent police.

For petitioner : Mr.G. Pugazhenth

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

ORDER

The petitioner who was arrested on 27.07.2021 and remanded to judicial custody for the offences under Sections 147,148,302 and 201 of IPC, in Crime No.1110 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is a man power agent and is a permanent resident of Orissa and he agreed to supply man power for A4 and A6 and received a considerable amount from them. Thereafter the deceased neither supplied man power nor returned back the amount to them, due to which there was a altercation between them. Subsequently A4, A6 and the petitioner/A7 and other accused joined together and attacked the deceased with iron rod and and murdered the deceased. Hence the concerned Village Administrative Officer registered a case against the petitioners before the law enforcing agency.



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 is been in jail from 27.07.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was some money dispute between the deceased and A4 and A6, due to which they along with the petitioner/A7 and other accused joined together and murdered the deceased. He further submits that there is no previous case pending against the petitioner and investigation is pending. Hence, he vehemently opposed for grant of bail to the petitioner.

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

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-sd/-

29/09/2021

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,
SRIPERUMBUDUR

2 THE CHIEF JUDICIAL MAGISTRATE
KANCHEEPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
SRIPERUMBUDUR POLICE STATION,
KANCHEEPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

+2 CC to M/S G.PUGAZHENTHI Advocate on payment of necessary charges SR.No.10720

CRL OP.17717/2021

Date :29/09/2021

APN 29/09/2021