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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.18867 of 2021

Mageshkumar

... Petitioner

Vs.

State represented by
The Inspector of Police,
S-1 St.Thomas Mount Police Station,
Chennai.
(Crime No.243 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in the Crime No.243 of 2021, pending investigation on the file of the respondent.

For Petitioner : Mr.B.S.Manikandan

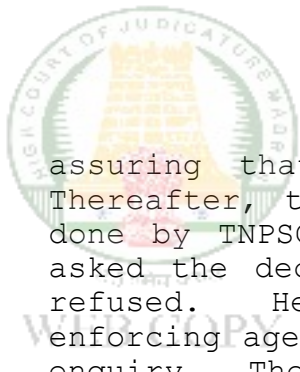
For Respondent : Mr.A.Gopinath
Government Advocate (Cr1. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 20.09.2021 for the offence under Section 174 of Cr.P.C. and later altered to Section 306 of I.P.C. in Crime No.243 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused is alleged to have induced the deceased to commit suicide.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that the deceased is a retired Teacher and he received a sum of Rs.15 Lakhs from the accused



assuring that he will secure a Government job for A1 and A2. Thereafter, the accused came to know that the selection process was done by TNPSC and no influence can be made and hence, the accused asked the deceased to return back the money for which the deceased refused. Hence, the accused lodged a complaint before the law enforcing agency and the law enforcing agency called the deceased for enquiry. The deceased refused to attend the enquiry and thereafter, committed suicide. The petitioner is arrayed as A2.

4.The learned Government Advocate (Criminal Side) submitted that investigation is pending.

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

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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate I, Alandur 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. for a period of two weeks and thereafter as and when required for interrogation;

(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 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.

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-sd/-
02/11/2021

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, ALANDUR.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPET [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
S-1, ST.THOMAS MOUNT POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S B.S.MANIKANDAN Advocate on payment of necessary charges SR.NO.12347

CRL OP.18867/2021

Date :02/11/2021

JPA 02/11/2021