



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.19504 of 2021

1. Jeevanantham
2. Gopi

... Petitioners

Vs.

The State
Represented by Inspector of Police,
Arambakkam Police Station,
Thiruvallur District.
(Crime No.578 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail pending investigation in Crime No.578 of 2021 on the file of the respondent police.

For Petitioners : Mr.R.Sasikumar

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 10.09.2021 for the offences under Sections 147, 148, 449, 294(b), 506(ii) and 302 of IPC, in Crime No.578 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that there was a previous enmity between the petitioners and the defacto complainant, as a result of which, the petitioners had attacked the deceased with knife, due to which, the deceased was admitted in the hospital and thereafter, he died. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. He further submitted that there is no intention to commit the murder of deceased. He also further submitted that the petitioners have been in jail from 10.09.2021. Therefore, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is no previous case pending against



the petitioners. Hence, he vehemently opposed for grant of bail to the petitioners.

5. Considering the period of incarceration suffered by the petitioners and there is no previous case pending against 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 their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, one surety shall be a blood surety, each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Gummudipoondi, and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the District Munsif cum Judicial Magistrate, Gummudipoondi, may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioners shall co-operate with the pending investigation and shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, daily at 10.00 a.m., until further orders and the petitioners shall not enter into the jurisdiction of the respondent police.

(c) the petitioners shall not influence, threaten or coerce the 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/-

12/10/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY



TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
GUMMUDIPOONDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

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

4 THE OFFICER INCHARGE,
DISTRICT JAIL, CHENGALPATTU.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY.

+1CC to M/S R.SASIKUMAR Advocate on payment of necessary
charges SR.NO.11413

CRL OP.19504/2021

Date :12/10/2021

CSK 13/10/2021