



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20449 of 2021

G.Krishnan

... Petitioner

Vs.

State by
The Inspector of Police,
Olakkur Police Station,
Villupuram District.
Crime No.245 of 2021

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in S.C.No.250 of 2021 on the file of Magalir Neethimandram, Villupuram pending trial.

For Petitioner : Mr.K.Subburam

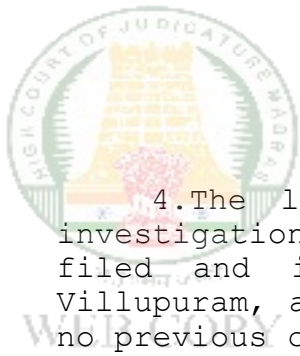
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 20.05.2021 for the offence under Sections 498-A and 302 of I.P.C. in Crime No.245 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that there was family dispute inbetween the petitioner and his wife/ deceased and on earlier occasions, the petitioner attempted to kill the deceased, but he could not kill her and on the date of occurrence, the petitioner is alleged to have attacked the deceased with aruval and committed murder of the deceased.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. He further submitted that investigation has been completed and charge sheet has been filed and that the petitioner is in prison for more than five months.



4.The learned Government Advocate (Crl. Side) submitted that investigation in the case has been completed and charge sheet has been filed and it is taken on file by the Magalir Neethimandram, Villupuram, as S.C.No.250 of 2021 and further submitted that there is no previous case as against the petitioner.

5.Considering the period of incarceration undergone by the petitioner and the fact that there is no previous case as against 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 Magalir Neethimandram, Villupuram 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 Magalir Neethimandram, Villupuram, daily at 10.30 a.m. till the completion of the trial in S.C.No.250 of 2021;

(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.

-sd/-

29/10/2021

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 MAGILIR NEETHIMANDRAM
VILUPPURAM

2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

3 THE INSPECTOR OF POLICE,
OLAKKUR POLICE STATION,
VILLUPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S K.SUBBURAM Advocate on payment of necessary charges
SR.No.12190

CRL OP.20449/2021

Date :29/10/2021

APN 01/11/2021