



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.23079 of 2021

Sami Ravi @ Ravikumar @ London Ravi @ Dalmaiya Ravi ...Petitioner

Vs.

The State rep. By its
Inspector of Police
Station House Officer Town Police Station
Crime No.08 of 2013
Karaikal, Puducherry.

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in the case in Crime No.08 of 2013 on the file of the respondent police.

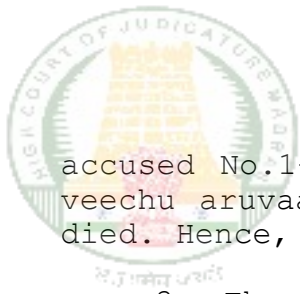
For Petitioner : M/s.R.John Sathyan

For Respondent : Mr.Balamurugane,
Additional Public Prosecutor,
Pondicherry.

ORDER

The petitioner who was arrested and remanded to judicial custody on 27.08.2021 for the offences under Sections 147, 148, 341, 302, 307, 326, 324, 120-B, 193, 201(1) read with 149 of the Indian Penal Code in Crime No.08 of 2013 on the file of the respondent police pending committal in P.R.C. No.05 of 2016 on the file of Learned Judicial Magistrate-II, Karaikal seeks bail.

2. The case of the prosecution is that the deceased one Ramu @ Radhakrishnan is the husband of Mrs.Vinotha/accused No.20 and their relationship was estranged since the deceased had married one Ezhil @ Ezhilarasi and thereafter, there was financial dispute between the deceased and accused No.20 and the deceased had transferred properties in favour of Ezhil @ Ezhilarasi depriving his wife Mrs. Veinotha. Further, there was discord in the business due to the separation as a result of which, the accused No.20 along with accused No.22 and engaged accused No.1 to 6 and it is alleged that on 11.01.2013, the



accused No.1-6 and 7-28 had gathered and attacked the deceased with veechu aruvaal in which the deceased sustained grievous injuries and died. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that from the date of occurrence to till date, he was not named in the FIR and not arrested by the police and then on 27.08.2021 been produced on Prisoner Transfer Warrant and that already charge sheet has been filed and the petitioner has been ranked as A7 and there is no such overt act against the petitioner. He furthermore submits that the petitioner has been suffering incarceration for 45 days from 27.08.2021. Hence, he seeks for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that there are three previous cases pending against the petitioner and if he released on bail, he might abscond. He further submits that the charge sheet has been filed and the petitioner ranked as A7 and that the investigation has been completed. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Considering the submissions made by the learned Government Advocate that the petitioner was shown as he was absconding at the time of filing of charge sheet and since the investigation is completed and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner 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 No.II, Karaikal and on further conditions 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 on every Tuesday and Sunday at 10.30 a.m. until further orders and directed to co-operate for the trial proceedings.

(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.

-sd/-

06/12/2021

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.II, KARAİKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
PUDUCHERRY. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKOTTAI.

4 THE INSPECTOR OF POLICE,
STATION HOUSE OFFICER TOWN POLICE STATION,
KARAİKAL, PUDUCHERRY.

5 THE PUBLIC PROSECUTOR
PUDUCHERRY.

+1 CC to M/S.R.JOHN SATHYAN Advocate on payment of necessary charges SR.NO.14116

CRL OP.23079/2021

Date :06/12/2021

RW 06/12/2021