



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

CORAM:

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

Crl.O.P.No.23771 of 2021

Seenu @ Srinivasan

.. Petitioner

Vs.

State rep.by  
The Inspector of Police,  
Kanchi Taluk Police Station,  
Kanchipuram District.  
(Crime No.1575 of 2021)

...Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail in Crime No.1575 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Indhumathy

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl.Side)

### ORDER

The petitioner who was arrested and remanded to judicial custody on 07.11.2021 for the offences under Sections 294(b), 307 and 506(ii) in Crime No.1575 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that A1 and A2 are the own sons of the defacto complainant and A3/petitioner is their friend. The defacto complainant has opposed the proposal of A2 in marrying his lady love, all the three accused had planned to commit murder of the defacto complainant, A2 invited his father/defacto complainant to accept the offer of preparation of briyani in a particular place and as the defacto complainant went there and there was a wordy quarrel between them with regard to the love affair of A2, due to which, the petitioner along with other accused/A1 and A2 assaulted the defacto complainant with knife and caused injuries on him. Hence, the complaint.



3. The learned counsel for the petitioner submits that the petitioner/A3 is the friend of A1 and A2 and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner has been suffering incarceration for more than 30 days from 07.11.2021. However, on instructions, he submits that the petitioner is ready and willing to pay a sum of Rs.5,000/- to any Charitable Institute as may be directed by this Court. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate submits that the injured has been discharged from the hospital and investigation was almost completed. He further submits that there is no previous case as against the petitioner. However, he vehemently opposed for granting bail to the petitioner.

5. Considering the period of incarceration suffered by the petitioner and also considering the fact that the injured has been discharged from the hospital and investigation was almost completed and also the fact that the petitioner has willfully and on his own volition agreed to contribute a sum of Rs.5,000/- for charitable purpose, 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-II, Kanchipuram, and on further condition that:

(a) the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five thousand only) to the Registered Advocates Clerks Association, Chengalpet, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

(b) 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;

(c ) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders ;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



(f) 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

08/12/2021

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, KANCHIPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
CHENGALPATTU. [FOR INFORMATION]

3 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAL.

4 THE INSPECTOR OF POLICE,  
KANCHI TALUK POLICE STATION,  
KANCHIPURAM DISTRICT.

5 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

6 THE REGISTERED ADVOCATES  
CLERKS ASSOCIATION, CHENGALPET.

+1 CC to M/S. R. INDHUMATHY Advocate on payment of necessary charges SR.NO.14303

CRL OP.23771/2021

Date :08/12/2021

RW 09/12/2021