



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2022

CORAM:

THE HON'BLE MR.JUSTICE DR.G.JAYACHANDRAN

Cr1.O.P.No.5045 of 2022

1.Balamurugan @ Balamurukan
2.Devaraj @ Devarasu

... Petitioners

Vs.

State rep. by
The Inspector of Police,
Kunnam Police Station,
Perambalur District.
(Crime No.51 of 2022)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail pending investigation in Crime No.51 of 2022 on the file of the respondent police.

For Petitioners : Mr.G.Ilamurugu

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to the judicial custody on 11.02.2022 for the offences punishable under Sections 147, 294(b), 323, 392 & 506(ii) of IPC in Crime No.51 of 2022, on the file of the respondent police, seek bail.

2.Learned Additional Public Prosecutor appearing for the respondent submitted that there was a wordy quarrel between the defacto complainant and the petitioners, who arrayed as A1 and A2 in the petrol bunk and that there is no previous case against these petitioners.



4. Considering the above submission, the petitioners are ordered to be released on bail subject to the following conditions;

(a) The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned The District Munsif Cum Judicial Magistrate, Kunnam, Perambalur District.

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioners are directed to report before the Investigating Officer as and when required.

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

(e) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-
04/03/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KUNNAM,
PERAMBALUR DISTRICT.



2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE
KUNNAM POLICE STATION,
PERAMBALUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL JAIL, TRICHY.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. G.ILAMURUGU Advocate on payment of necessary charges
SR.NO.3334 [11/03/2022]

CRL OP.5045/2022

Date :04/03/2022

JPA 07/03/2022