



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.5150 of 2022

Baliyan

.. Petitioner

Vs.

The State rep. by
The Sub-Inspector of Police,
Mallur Police Station,
Salem District.
(Crime No.460 of 2021)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime.No.460 of 2021 on the file of the respondent police.

For Petitioner : M/s.S.Sengkodi

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

ORDER

The petitioner, who was arrested and remanded to the judicial custody on 20.12.2021 for the offences punishable under Sections 147, 148, 302, 307, 323, 324 altered into 147, 148, 302, 307, 323, 324, 120(b) of IPC in Crime No.460 of 2021, on the file of the respondent police, seeks bail.

2.It is a case of retaliate murder wherein this petitioner arrayed as A7 in the final report, though his name is not found in the First Information Report given by one of the injured victim.

3.Since the prosecution states that the investigation is over and the final report already filed, bail granted to the petitioner and he is ordered to be released on bail subject to the following conditions;

(a) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.VI, Salem.



(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;

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(c) the petitioner is directed to stay at Trichy and report before Rockfort Police Station daily for a period of 30 days at 10.30 a.m.

(d) the petitioner 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 JUDICIAL MAGISTRATE,
NO.VI, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM [FOR INFORMATION]

3 THE SUB INSPECTOR OF POLICE,
MALLUR POLICE STATION,
SALEM DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE OFFICER INCHARGE,
ROCKFORT POLICE STATION,
TRICHY.

+1CC to M/S.S.SENGKODI Advocate on payment of necessary charges
SR.No.3316

CRL OP.5150/2022

Date :04/03/2022

CSK 07/03/2022