



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5380 of 2022

1.Suresh .. Petitioners
2.Rakesh @ Appu
3.Hemakumar @ Hemanth

Vs.

State rep. by .. Respondent
The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
(Crime No.02 of 2022)

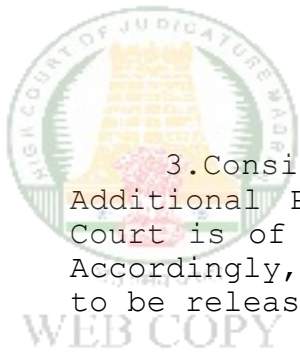
PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail pending investigation in Crime No.02 of 2022 pending investigation on the file of the respondent police.

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

ORDER

The petitioners/A4 to A6, who were arrested on 02.01.2022 for the offences punishable under Sections 147, 148, 302 of IPC in Crime No.02 of 2022, on the file of the respondent police, seeks bail.

2.Due to previous enmity, one Thilak, the first accused/A1 along with the other accused brutally attacked the son of the defacto complainant with deadly weapons and caused his death. According to the learned counsel for the petitioners, the petitioners who are arrayed as A4 to A6, as friends of A1, have been falsely implicated in this case. They were arrested on 02.01.2022 and in the custody for more than 65 days.



3.Considering the above facts and the submission of the learned Additional Public Prosecutor that the investigation completed, this Court is of the view that the bail may be granted to the petitioner. Accordingly, bail is granted to the petitioners and they are ordered to be released on bail subject to the following conditions;

(a)Each of the petitioners 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.II, Hosur.

(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 stay at Tirupathur and report before Tirupathur Town Police daily at 10.30 a.m. until further orders.**

(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/-
14/03/2022

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.II, HOSUR.



2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
MATHIGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM.

6 THE OFFICER INCHARGE
TIRUPATHUR TOWN POLICE,
TIRUPATHUR.

+1 CC to M/S.M.JAYACHANDRAN Advocate on payment of necessary
charges SR.NO.3875

CRL OP.5380/2022

Date :14/03/2022

TA-14/03/2022