



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

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CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.5637 of 2022

1.Govindasamy
2.Meena

.. Petitioners

Vs.

State rep. by
The Sub Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
(Crime No.29 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in connection with a case in Crime No.29 of 2022 on the file of respondent police.

For Petitioners : No Appearance

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

ORDER

The petitioners/A1 and A2, who were arrested for the offences punishable under Sections 294(b), 324 and 307 of IPC which was subsequently altered into 302 IPC in Crime No.29 of 2022, on the file of the respondent police, seeks bail.

2. It is a case of 307 I.P.C. altered into 302 I.P.C. in view of the death of the victim. The First Information Report indicates that due to the property dispute between the siblings, the first petitioner, who is the brother of the deceased along with his wife, who is the second petitioner herein has attacked one Narayanan with stone and caused severe head injury. The injured victim died subsequently and hence, the case under 307 IPC was altered into 302 IPC.



3. Learned Additional Public Prosecutor appearing for the respondent states that the investigation already been completed. APP opinion is awaited. These petitioners were arrested on 23.01.2022. They are in prison for nearly 56 days.

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4. Since the investigation is completed, this Court grants bail to the petitioners herein 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.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Polur.

(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 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/-
21/03/2022

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.



1 THE JUDICIAL MAGISTRATE,
POLUR, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
POLUR POLICE STATION,
TIRUVANNAMALAI DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL, POLUR.

+1 CC to M/S. P.SIVAMANI Advocate on payment of necessary
charges SR.NO.4228

CRL OP.5637/2022

Date :21/03/2022

TA-21/03/2022