

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.5836 of 2022

Lokesh

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
K.V.Kuppan Police Station,
Vellore District.
(Crime No.13 of 2022)

.. 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.13 of 2022 on the file of the respondent police pursuant to the order dated 17.02.2022 in Crl.M.P.No.578 of 2022 passed by the Principal Sessions Judge, Vellore.

For Petitioner : Mr.D.Saikumaran

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

O R D E R

The petitioner, who was arrested on 10.01.2022 for the offences punishable under Section 302 of IPC in Crime No.13 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein is the son of the deceased Govindasamy. On 10.01.2022, early morning Govindasamy was found dead with crashed head. The first informant has stated to the police that on previous day night, there was quarrel between the deceased Govindasamy and his son Lokesh regarding the sharing of the property and Lokesh left the place threatening his father. There was a long standing dispute for more than a year between the father and the son regarding the sharing of the house property and this has led to brutal murder of Govindasamy by his son.

3.The petitioner herein seek bail on the ground that he is innocent and he has not committed the crime. However, the learned Additional Public Prosecutor appearing for the respondent states that the statements of the witnesses so far recorded and the previous

incident took place just before the occurrence pointed needle of suspicion towards the petitioner alone. Hence, she opposed granting of bail to the petitioner.

4. Considering the fact that the petitioner was arrested on 10.01.2022 and the substantial portion of the investigation completed, this court is of the view that the petitioner may be granted bail. Accordingly, bail is 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, Katpadi.

(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 petitioner is directed to stay at Arcot and report before Arcot Town 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) 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 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];

(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,
KATPADI

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE
KV KUPPAM POLICE STATION,
VELLORE DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE

6 THE OFFICER INCHARGE,
ARCOT TOWN POLICE STATION,
ARCOT

CC to M/S. D.SAIKUMARRAN Advocate on payment of necessary
charges SR.NO.3857

CRL OP.5836/2022

Date :14/03/2022

RVR 15/03/2022