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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrI.O.P.No.6214 of 2022

R.Pugilan

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
M-4, Redhills Police Station,
Redhills,
Chennai 600 123.
(Crime No.08 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner/accused herein on bail in Crime No.08 of 2022 on the file of respondent/complainant i.e., on the file of the Inspector of Police, M-4 Redhills Police Station, Redhills, Chennai- 600 123.

For Petitioner : Mr.S.Mohan Raj

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

O R D E R

The petitioner/A2, who was arrested on 05.01.2022 for the offences punishable under Section 302 of IPC in Crime No.08 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein is one of the three accused in a case registered for the offence under Section 302 I.P.C. As per the First Information Report on the basis of the complaint given by the wife of the deceased, due to previous enmity, the deceased was murdered by this accused on 05.01.2022. According to the informant, this petitioner has called the deceased over phone to meet him at a secluded place, where the other two accused were waiting under the pretext of discussing about the sale of property. While the second accused and the third accused caught hold of the deceased, the first accused stabbed him to death.



3. Learned Additional Public Prosecutor appearing for the respondent states that the investigation completed and the Viscera Report awaited.

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4. Considering the date of arrest and the completion of investigation except the receipt of the viscera report, this Court grants bail to the petitioner herein 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 -II, Ponneri.

(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 report before the Investigating Officer 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 petitioner 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/-
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.



TO

1 THE JUDICIAL MAGISTRATE,
NO.II, PONNERI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR DISTRICT. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

4 THE INSPECTOR OF POLICE
M-4 REDHILLS POLICE STATION,
REDHILLS, CHENNAI 600 123.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.MOHAN RAJ Advocate on payment of necessary
charges SR.NO. 4207

CRL OP.6214/2022

Date :21/03/2022

RW 21/03/2022