



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 05.04.2022

Pronounced on : 07.04.2022

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Coram::

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.7942 of 2022

1. Tamizharasan
2. Raji (Raguman)
3. Sathish Kumar

... Petitioners/Accused Nos.3,4,6

/versus/

The Inspector of Police,
Naduveerapattu Police Station,
Cuddalore District.
(Crime No.50 of 2022)

... Respondent/Complainant

Prayer: This Criminal Original Petition is filed under Section 439 of Cr.P.C., pleaded to enlarge the petitioners on bail in Crime No.50 of 2022 pending investigation on the file of the respondent police.

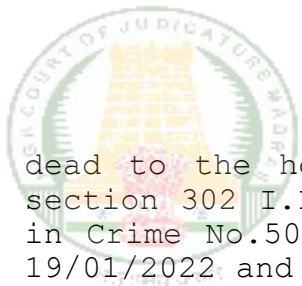
For Petitioner : Mr.S.Dhakshnamoorthy

For Respondent : Mrs.G.V.Kasthuri,
Additional Public Prosecutor (Crl.Side)

ORDER

The petitioners, who were arrested for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii), 307 and 302 of I.P.C., in Crime No.50 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, on 17/01/2022 at about 7.30 p.m., these petitioners under the leadership of one Jayaprakash due to previous enmity of murdering one Panjan brother in law of the defacto complainant, gathered with the accused and brutally attacked one Panneerselvam, (father of the defacto complainant), Vijay (sister's son of defacto complainant) and the defacto complainant Ramesh. Hence, a case was registered by the respondent police on 17/01/2022 for the alleged offence under sections 147, 148, 294(b), 323, 324, 506(ii) and 307 I.P.C. The said Paneerselvam was brought



dead to the hospital and therefore, charges were altered by adding section 302 I.P.C. The petitioners herein are accused Nos.3, 4 and 6 in Crime No.50 of 2022. The 1st and 3rd petitioners were arrested on 19/01/2022 and the 2nd petitioner was arrested on 20/01/2022.

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3. In this bail petition, it is stated that, the defacto complainant and his family members are the real assailants. They attacked Jayaprakash indiscriminately on 17/01/2022 at 7.00 p.m. The petitioners, just chased them on seeing them attacking Jayaprakash with deadly weapon. The said Jayaprakash was admitted in the hospital and treated as inpatient. In this connection, case under Crime No.53 of 2022 is registered and under investigation. The said Paneerselvam fell down in inebriated state and died. No external or internal injuries noted in the Post-mortem certificate. The investigation is almost completed and the petitioners may be released on bail.

4. Perused the Case Diary [CD] file and the noted the submissions made by the respective counsels. The custody of the petitioners are no more required, in view of fact that, the investigation completed and final report is likely to be filed soon. However, taking note of the fact that, the incident has occurred due to animosity over the earlier murder of the deceased son. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;

(a) the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Cuddalore;

(b) the petitioners and 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 shall stay at Ulundurpet and report before the Ulundurpet Police station 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 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/-
07/04/2022

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.I, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
NADUVEERAPATTU POLICE STATION
CUDDALORE DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SECTION OFFICER
E.R.SECTION,
HIGH COURT, MADRAS.



6 THE OFFICER INCHARGE
ULUNDURPET POLICE STATION,
ULUNDURPET

+1 CC to M/S. S.DHAKSHNAMOORTHY Advocate on payment of necessary
charges SR.NO.5355

CRL OP.7942/2022

Date :07/04/2022

JPA 08/04/2022