



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Nineteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH
CRIMINAL ORIGINAL PETITION No.11754 of 2022
against

P.R.C.No.4 of 2022

(On the file of Judicial Magistrate No.II, KANCHIPURAM)

PRABHU @ PRABHURAJ

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
B3,KANCHI TALUK POLICE STATION,
KANCHIPURAM DISTRICT.
CRIME NO.172 OF 2022

[RESPONDENT]

For Petitioner : M/S.K.PRASANTHAN Advocate

For Respondent : MR. S.SANTHOSH, Govt. Advocate (Crl. Side)

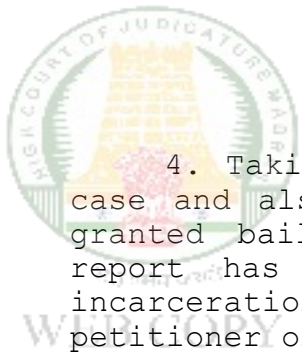
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 20.02.2022 for the alleged offences under Section 174 of Cr.P.C. and subsequently, it was altered to Sections 147, 148, 294(b), 342 and 302 of IPC in Crime No.172 of 2022 on the file of respondent police, seeks bail.

2. The case of the prosecution is that the accused persons went to the house of the victim and brutally attacked him with the wooden logs and caused his death. There were totally five accused persons in this case and except the petitioner, all the other accused persons have been granted bail.

3. The learned Government Advocate (Crl.Side) submitted that investigation has been completed and a final report was filed before the learned Judicial Magistrate No.II, Kanchipuram and the same was taken on file in PRC.No.4 of 2022. The learned Government Advocate (Crl. Side) further submitted that there are no previous cases against the petitioner.



4. Taking into consideration the facts and circumstances of the case and also of the fact that all the other co-accused have been granted bail and the investigation has been completed and final report has been filed and the petitioner has already suffered incarceration for 88 days, this Court is inclined to enlarge the petitioner on bail by imposing some stringent conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kanchipuram, subject to the following conditions:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the learned Judicial Magistrate No.II, Kanchipuram during every date of hearing without fail and subsequently, before the Sessions Court on every date of hearing.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned 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/-

19/05/2022

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, KANCHIPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
B3, KANCHI TALUK POLICE STATION,
KANCHIPURAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI 600 060

CC to M/S.K.PRASANTHAN Advocate on payment of necessary charges
Sr.7420

CRL OP.11754/2022

Date :19/05/2022

RVR 19/05/2022