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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.06.2022

Coram::

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Criminal Original Petition Nos.11916 & 11948 of 2022

Kumaraguru, ... Petitioner/Accused No.6
in CrI.O.P.No.11916 of 2022

Rajesh Kumar, ... Petitioner/Accused No.7
in CrI.O.P.No.11948 of 2022

/versus/

State rep. by
The Inspector of Police,
Perur Police Station,
Coimbatore District.
(Crime No.118 of 2022)

... Respondent/Complainant
in both cases

Common Prayer:- This Criminal Original Petitions are filed under Section 439 of Cr.P.C., pleaded to release the petitioners on bail in Crime No.118 of 2022 on the file of the respondent Police.

For Petitioner : Mr.D.Alexis Sudhakar
in both cases

For Respondent : Mr.S.Udaya Kumar
in both cases Government Advocate (CrI.Side)

COMMON ORDER

The petitioners/A6 and A7, who were arrested and remanded into judicial custody on 18.03.2022 by the respondent police in connection with the case registered under Sections 294(b), 342, 323, 364(A) and 506(ii) of IPC in Crime No.118 of 2022 on the file of the respondent police, seek bail.

2.Earlier bail petitions were dismissed on 21.04.2022 on the ground that investigation is at very crucial stage and co-accused are yet to be secured. Since more than 50 days has lapsed, the accused are in prison for more than 80 days.



3. In view of the above, this Court is inclined to grant bail to the petitioners on the following conditions. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:-

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(a) each of 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 No.I, Coimbatore;

(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 shall 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 v. State of Kerala [(2005) AIR SCW 5560];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
08/06/2022

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, COIMBATORE.



2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
PERUR POLICE STATION,
COIMBATORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.D.ALEXIS SUDHAKAR Advocate on payment of necessary
charges SR.NOs.8689+8690

CRL.OP.NOs.11916&11948/2022

Date :08/06/2022

CSK 09/06/2022