



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11528 of 2022

ANIL

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THALLI POLICE STATION,
KRISHNAGIRI DISTRICT.
CRIME NO.125 OF 2022.

[RESPONDENT]

For Petitioner : M/S.E.KANNADASAN Advocate

For Respondent : MR.S.SANTHOSH, Govt. Advocate (CrI. 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 12.04.2022 for the offence under Section 302 of IPC in Crime No.125 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the deceased had developed a love affair with the sister of the petitioner and this was not to the liking of the petitioner. Hence, there was some misunderstanding between the deceased and the petitioner. On the fateful day, the petitioner, the deceased and some other friends had gone to the scene of occurrence and had consumed alcohol. There was some wordy quarrel, which resulted in the deceased being attacked with the deadly weapons. There are totally three accused persons in this case and the petitioner has been ranked as A1.

3. The learned counsel for the petitioner submitted that the petitioner has been roped in as accused only on the basis of suspicion and there are absolutely no materials against the petitioner. The learned counsel further submitted that the deceased



are friends and there was some misunderstanding on the deceased having a love affair with the sister of the petitioner. This has been taken to be a motive behind the murder of the deceased. The learned counsel submitted that the petitioner has already suffered incarceration for nearly 38 days and that he is willing to cooperate for investigation and comply with any conditions imposed by this Court.

4. The learned Government Advocate (crl.side) submitted that the investigation has been substantially completed and the reports are awaited. The learned Government Advocate (crl.side) further submitted that there are no previous cases against the petitioner.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the investigation has been substantially completed and there are no previous cases against the petitioner and the petitioner has also already suffered incarceration for nearly 38 days, this Court is inclined to enlarge the petitioner on bail by subjecting him to stringent conditions.

6. In view of the above discussion, 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 District Munsif cum Judicial Magistrate, Denkanikottai, and on further conditions that:-

[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 respondent police daily at 10.30 a.m and 5.30 p.m, until further orders.

[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/-
18/05/2022

WEB COPY

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
DENKANIKOTTAI, KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
THALLI POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

+1 CC to M/S.E.KANNADASAN Advocate on payment of necessary charges SR.NO.7206

CRL OP.11528/2022

Date :18/05/2022

TA-18/05/2022