



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.11966 of 2022

SURENDIRAN.A

[ PETITIONER / ACCUSED ]

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE  
NAMAKKAL POLICE STATION,  
NAMAKKAL DISTRICT.  
(CRIME NO.1865/2021)

[ RESPONDENT ]

For Petitioner : M/S.S.BHARANIDHARAN Advocate

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

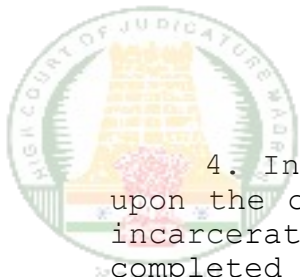
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 29.12.2021 for the alleged offences under Section 174 of Cr.P.C. and subsequently, it was altered to Sections 364, 394, 302 and 201 of IPC in Crime No.1865 of 2021 on the file of respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had an illegal intimacy with the deceased. The petitioner was last seen with the deceased on 15.11.2021 at about 10.30 p.m., and thereafter, the deceased was found in a well. Initially, an FIR came to be registered under Section 174 of Cr.P.C., and thereafter, in the course of investigation, it was altered for the offences under Sections 364, 394, 302 and 201 of IPC.

3. Heard Mr.S.Bharanidharan, learned counsel for the petitioner and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.



4. In the present case, the entire case of the prosecution hinges upon the circumstantial evidence. The petitioner has already suffered incarceration for nearly 142 days. The investigation has already been completed and the final report was filed and it has been taken on file by the Committal Court. There are no previous cases against the petitioner.

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 Principal District and Sessions Judge, Namakkal, 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.I, Namakkal, everyday at 10.30 am, 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/-

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 PRINCIPAL DISTRICT AND SESSIONS JUDGE,  
NAMAKKAL.



2 THE JUDICIAL MAGISTRATE,  
NO.I, NAMAKKAL.

3 THE CHIEF JUDICIAL MAGISTRATE  
NAMAKKAL [FOR INFORMATION]

4 THE INSPECTOR OF POLICE  
NAMAKKAL POLICE STATION,  
NAMAKKAL DISTRICT.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM.

6 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S.B.MOHAN Advocate on payment of necessary charges  
SR.NO.7442

CRL OP.11966/2022

Date :19/05/2022

CSK 19/05/2022