



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.11743 of 2022

1 MUNIASSELVAM
2 RAMESH

[PETITIONERS / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
THIRUVERKADU POLICE STATION,
THIRUVERKAD.
CRIME NO.189 OF 2022

[RESPONDENT]

For Petitioners : M/S.M.SHANKAR Advocate

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

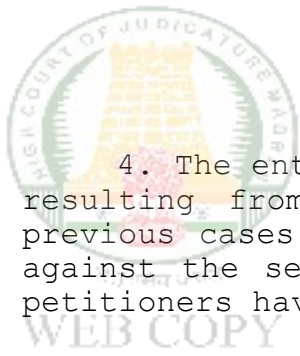
PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 24.03.2022 for the alleged offences under Sections 294(b), 323 and 302 of IPC in Crime No.189 of 2022 on the file of respondent police, seek bail.

2. The case of the prosecution is that there was an argument between the petitioners, deceased and the de facto complainant, who were working in wine shops, regarding their share in the commission. This led to fight where the petitioners attacked the deceased with hands and legs. The next day, the deceased was found dead.

3. Heard Mr.M.Shankar, learned counsel for the petitioners and Mr.S.Santhosh, learned Government Advocate (Criminal Side) for the respondent.



4. The entire incident have taken place in the spur of the moment resulting from a wordy quarrel. It is stated that there are no previous cases against the first petitioner and there were two cases against the second petitioner when he was Juvenile. That apart, the petitioners have already suffered incarceration for 57 days.

5. Accordingly, the petitioners are ordered to be released on bail on they executing a bond each 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, Poonamallee, 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 petitioners shall report before the respondent police daily at 10.30 a.m. and 05.30 p.m., until further orders.

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

[d] the petitioners 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, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
THIRUVERKADU POLICE STATION,
THIRUVERKAD.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.SHANKAR Advocate on payment of necessary charges
SR.NO.7428

CRL OP.11743/2022

Date :19/05/2022

JPA 19/05/2022