



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.No.12908 of 2022

1.Suresh Kumar @ Kuthirai Suresh
2.Karthi @ Deo Karthi

.. Petitioners

Vs.

The State represented by
Inspector of Police,
Muthupetai Police Station,
Thiruvarur District
Crime No.87 of 2022

.. Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.87 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.03.2022 for the offences punishable under Sections 294(b), 353, 307, 120 B of IPC r/w 25(1)(a), 27(2) of Arms Act, 1959 in crime No.87 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that when the respondent police were in usual beat duty, the petitioners and another were found in suspicious manner. When the respondent intercepted them, they tried to escape from that place. At that time, one, Manthiramoorthy tried to attack the police with aruval. However he escaped. The other two accused persons intimidated with dire consequences by showing deadly weapons. Hence the case.



3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the first accused tried to attack the respondent police with aruval. However, no injury was caused. He would further submit that the respondent police found that they were planning to murder the person who murdered one, Rajesh. Hence, he vehemently opposed to grant bail to the petitioners.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Thiruthuraipoondi 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 petitioners shall stay at Villupuram and report before the Inspector of Police, Villupuram Taluk Police Station, Villupuram daily at 10.30 a.m. and 05.30 p.m. until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[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 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 vs. State of Kerala [(2005)AIR SCW 5560].



[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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-sd/-
07/06/2022

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,
THIRUTHURAIPOONDI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
MUTHUPETAI POLICE STATION,
THIRUVARUR DISTRICT.

4 THE SUPERINTENDENT,
DISTRICT PRISION, THIRUVARUR

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM

+1 CC to M/S.P.MUTHAMIZHSELVAKUMAR Advocate on payment of
necessary charges SR.NO.8498

CRL OP.12908/2022

Date :07/06/2022

JPA 08/06/2022