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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

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

Crl.OP.Nos.13713, 13714 & 13718 of 2022

Crl.OP.No.13713 of 2022

Sugan

..Petitioner/A4

Vs.

State Rep by,
The Inspector of Police,
Pennadam Police Station,
Cuddalore District 606 105
crime No.410 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.410 of 2022
pending investigation on the file of the respondent police.

For Petitioner : Mr.N.U.Pressanna

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

Crl.OP.No.13714 of 2022

Prasanth

..Petitioner/A5

Vs.

State Rep by,
The Inspector of Police,
Pennadam Police Station,
Cuddalore District 606 105
crime No.410 of 2022

..Respondent



Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.410 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.N.U.Pressanna
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

CrI.OP.No.13718 of 2022

Manimaran ..Petitioner/A3
Vs.

State Rep by,
The Inspector of Police,
Pennadam Police Station,
Cuddalore District 606 105
crime No.410 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.410 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.N.U.Pressanna
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 12.04.2022 and 13.04.2022 respectively for the offence punishable under Sections 147, 148, 294(b), 324, 506(ii), 307 & 302 of IPC in crime No.410 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that on the occurrence day, there was a quarrel between the deceased and the accused persons. At that time, the accused persons attacked the deceased, thereby he sustained injuries. Thereafter, he was taken to hospital, where he was declared dead. 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 prays to grant bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the deceased is an engineer and A1 received money from the deceased. When the deceased went to ask for repayment of money, there was a wordy quarrel arose between the deceased and the accused persons. At that time, the accused persons attacked the deceased with wooden log and stone, thereby he sustained injuries. Thereafter, he was taken to hospital, where he was declared dead. He would further submit that A6, 7 & 9 were already released on bail by this Court.

5. It is seen that there was a motive for the petitioners to do away the deceased. When the deceased asked to return the money from A1, there was wordy quarrel, in which all the accused persons attacked the deceased.

6. Considering the above facts and circumstances of the case, the period of incarceration by the petitioners and considering that the co-accused were already released on bail, 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, Tittagudi 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 Chennai and report before the Inspector of Police, Harbour Police Station, Chennai daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police 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/-

15/06/2022

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,
TITTAGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

4 THE INSPECTOR OF POLICE,
PENNADAM POLICE STATION,
CUDDLAORE DISTRICT-606 105.

5 THE INSPECTOR OF POLICE,
HARBOUR POLICE STATION,
CHENNAI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+3 CC to M/S.N.U.PRESSANNA Advocate on payment of necessary charges SR.NOs. 9101,9102 & 9103

CRL OP.Nos.13713, 13714 & 13718 /2022

Date :15/06/2022

RW-15/06/2022