



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

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

Cr1.OP.No.15328 of 2022

Kulandaivelu

..Petitioner/ A2

Vs.

State by
Inspector of Police,
Madhavaram Police Station,
Chennai District
crime No.399 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in PRC.No.11 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram in respect of crime No.399 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.P.Meenakshi Sundharam

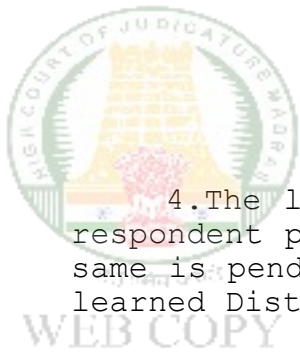
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 15.04.2022 for the offence under Sections 324, 307 of IPC altered into Section 302 of IPC in PRC.No.11 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram in respect of crime.No.399 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner along with other accused attacked the deceased with beer bottel due to wordy quarrel in the bar. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he seeks for grant of bail to the petitioner.



4.The learned Additional Public Prosecutor would submit that the respondent police completed investigation and filed charge sheet. The same is pending for committal in PRC.No.11 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram.

5.It is seen that there are totally two accused, in which the petitioner is arrayed as A2. Now the case is pending for committal in PRC.No.11 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Madhavaram. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioner. 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 blood related sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Madhavaram 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 committal court viz., learned District Munsif cum Judicial Magistrate, Madhavaram daily at 10.30 a.m and 05.30 p.m. until further orders.

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

[d] the petitioner 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 petitioner 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/-

04/07/2022

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.



1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
MADHAVARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
MADHAVARAM POLICE STATION,
CHENNAI DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to S.P.MEENAKSHI SUNDHARAM Advocate on payment of
necessary charges SR.No.10646

CRL OP.15328/2022

Date :04/07/2022

CSK 05/07/2022