



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM

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

Crl.OP.No.15244 of 2022

Ramu @ Ramachandran

..Petitioner

Vs.

State rep by
The Inspector of Police,
K10 Koyambedu Police Station,
Chennai
crime No.171 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.171 of 2022 on the file of the respondent police.

For Petitioner : Mr.P.Murugesan

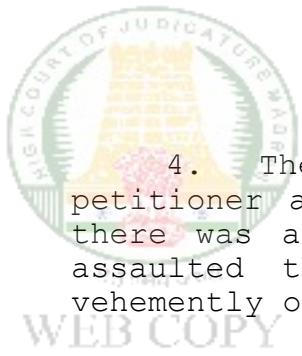
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.05.2022 for the offence punishable under Sections 341, 294(b), 307 of IPC altered into Sections 341, 294(b), 302 of IPC in crime No.171 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the accused and the deceased Subramani are friends and they were working as driver in KSV Drainage Water Cleaning Company. One, Kowsalya is also working as Accountant in the same company and she developed some illegal relationship with the petitioner and they were living together. The deceased also tried to make relationship with her. On 09.05.2022 at about 06.00 p.m., the accused and the deceased in a drunken mood had a wordy quarrel. At that time, the petitioner assaulted with knife on the face of the deceased, thereby he injured and he was admitted in KMC Hospital. Subsequently, he died. 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 prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor would submit the petitioner and the deceased were in drunken mood and at that time, there was a wordy quarrel arose, pursuant to which the petitioner assaulted the deceased with knife, thereby he died. Hence, he vehemently opposed to grant bail to the petitioner.

5. The petitioner had illegal intimacy with one, Kowsalya and the deceased also had illegal intimacy with the said Kowsalya. Therefore, there was a dispute between them and as such, in a drunken mood, the petitioner attacked the deceased with knife, thereby he sustained grievous injuries and died. Now, the investigation is completed and also the respondent filed final report.

6. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e. from 10.05.2022, 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 V Metropolitan Magistrate at Egmore, Chennai 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 stay at Hosur and report before the Inspector of Police, Hosur Town Police Station, Hosur 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 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/-

01/07/2022

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.

TO

1 V METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
K10, KOYAMBEDU POLICE STATION,
CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL,
CHENNAI

6 THE INSPECTOR OF POLICE,
HOSUR TOWN POLICE STATION,
HOSUR

CC to M/S.P.MURUGESAN Advocate on payment of necessary charges
Sr.10470

CRL OP.15244/2022

Date :01/07/2022

RVR 01/07/2022