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CrI.OP.No.15811 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

CORAM

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

CrI.OP.No.15811 of 2022

Seenu @ Srinivasan

..Petitioner/ A3

Vs.

State through
The Inspector of Police,
V1-Villivakkam Police Station,
Chennai
crime No.99 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.99 of 2022 pending
investigation on the file of the respondent police.

For Petitioner : Mr.B.M.Santharam

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 10.03.2022 for the offences punishable under Sections 302,



CrI.OP.No.15811 of 2022

307 of IPC in crime No.99 of 2022 on the file of the respondent police,
seeks bail

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused persons assaulted the defacto complainant's son, thereby he sustained injuries and he was admitted in the hospital. However, he died. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that all the other accused persons were released on bail and the petitioner is in judicial custody from 10.03.2022. Hence, he seeks for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally nine accused, in which the petitioner is arrayed as A3. The accused persons had assaulted with deadly weapons and caused head injury to the deceased. However, he died in the hospital. Hence, he vehemently opposed to grant bail to the petitioner.



Crl.OP.No.15811 of 2022

5. It is seen that due to previous enmity between A1 and the deceased, A1 along with other accused persons assaulted the deceased with deadly weapons and caused head injury, thereby he died in the hospital. As far as the petitioner, he is a friend of A1 and the other accused persons were already released on bail. 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. 10.03.2022, 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 XIII Metropolitan Magistrate, 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 two weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. until further orders.



CrI.OP.No.15811 of 2022

[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.

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CrI.OP.No.15811 of 2022

G.K.ILANTHIRAIYAN, J.



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CrI.OP.No.15811 of 2022

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To

- 1.The learned XIII Metropolitan Magistrate,
Chennai
- 2.The Inspector of Police,
V1-Villivakkam Police Station,
Chennai
- 3.Central Prison,
Puzhal
- 4.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.15811 of 2022

08.07.2022