



WEB COPY



CrI.OP.No.16482 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2022

CORAM

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

CrI.OP.No.16482 of 2022

1. Ajithkumar

2. Alexpandian

..Petitioners

Vs.

The State rep by its
The Inspector of Police,
Varanjaram Police Station,
Kallakurichi District
Crime No.53 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in crime No.53 of 2022 on the
file of the respondent police.

For Petitioners : Mr.A.M.Rahamath Ali

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



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submit that the petitioners are falsely implicated in this case. He further submitted that co-accused had been granted bail. Hence, he prays to grant bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent police submitted that on the occurrence day, the petitioners along with other accused persons trespassed into the defacto complainant's house and A1 attacked with knife, due to which he sustained grievous injuries and died. Hence, he opposed for grant of bail to the petitioners.

5. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioners, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.10,000/-** (Rupees ten thousand only) with **two blood related sureties**, each for a like sum



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to the satisfaction of the learned **Judicial Magistrate No.I, Kallakurichi** 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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1.The learned Judicial Magistrate No.I,
Kallakurichi.

2.The Inspector of Police,
Varanjaram Police Station,
Kallakurichi District.

3.Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

Sma

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