

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2022

CORAM

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

Cr1.OP.No.16990 of 2022

R.Rajkumar

... Petitioner

Vs.

State rep.by
The Inspector of Police,
K-3 Aminjikai Police Station,
Aminjikai,
Chennai - 600 029.
(Crime No.257/2022)

... Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused-7A on bail pending investigation rested in Crime No. 257/2022, on the file of the Inspector of Police, K-3, Aminjikai Police Station, Aminjikai, Chennai - 600 029.

For Petitioner : Mr.N.Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.05.2022 for the offences punishable under Sections 341, 294(b), 302 and 506(ii) of IPC in crime No.257 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, on 18.05.2022, at about 1.20 p.m., at Shenoy Nagar, Chennai in front of the newly opened one Amara Stores Building, One Arumugam, who is doing finance business and having 5 criminal cases was attacked by one Wus @ Chandrasekar and three unknown persons with aruval and deadly weapons. The victim sustained multiple injuries and was hacked to death. Hence, the complaint.

3. There are totally nine accused, in which the petitioner is arrayed as A7. There was a previous enmity between both groups, i.e. the person belonging to the petitioner's group was murdered by the deceased group. As far as the petitioner is concerned, he is arrayed as A7. He was also present in the scene of crime. He had specific overt act in the occurrence. However, two knives were recovered from the petitioner.

4. 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., 27.05.2022, 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 VTH Metropolitan Magistrate, Egmore, at 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 Bhavani and report before the Inspector of Police, Bhavani Police Station twice daily at 10.30 a.m. and 5.30 p.m., for a period of four weeks and thereafter report before the respondent Police daily at 10.30 a.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/-
21/07/2022

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 THE METROPOLITAN MAGISTRATE,
NO.V, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
K-3 AMINJIKARAI POLICE STATION,
AMINJIKARAI, CHENNAI-600 029

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
BHAVANI POLICE STATION, BHAVANI

+1 CC to Mr.N.Kumar Advocate on payment of necessary charges
SR.NO.11927

CRL OP.16990/2022

Date :21/07/2022

JPA 21/07/2022