



WEB COPY



CrI.OP.No.17309 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

CrI.OP.No.17309 of 2022

Ajith @ ChappaAjith

...Petitioner

Vs.

State rep by,
The Inspector of Police,
K-3 Aminjikarai Police Station,
Chennai District.
Crime No.257 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. 257 of 2022
pending on the file of the respondent.

For Petitioner : Mr.M.Mohamed Riyas

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 18.05.2022 for the offences punishable under Sections 341,
294(b), 302 & 506(ii) of IPC in crime No.257 of 2022 on the file of the



CrI.OP.No.17309 of 2022

respondent police, seeks bail.

2. Totally there are nine accused, in which the petitioner is arrayed as A5. A1 to A4 had business rivalry with the deceased. Therefore, there was a previous enmity between them. A1 to A4 waylaid the deceased and attacked with iron rod. Therefore, he died on the spot. However, the overt act as against the petitioner concerned is that, he informed about the movements of the deceased. Except the said overt act, there is no other specific overt act is against the petitioner.

3. 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.18.05.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned V MM Court, Egmore**, 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



CrI.OP.No.17309 of 2022

their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 5.30 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.

25.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The V MM Court,
Egmore.
- 2.The Inspector of Police,
K-3 Aminjikarai Police Station,
Chennai District.
- 3.Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.17309 of 2022

25.07.2022