



Crl.OP.No.17670 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

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

Crl.OP.No.17670 of 2022

S.Sharan

...Petitioner

Vs.

State: Rep by
The Inspector of Police,
Ambattur Police Station,
Thiruvallur.
Crime No.387 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in connection with the Crime
No.387/2022 on the file of the respondent Police.

For Petitioner	: Mr.D.Padmanabhan
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 28.05.2022 till 03.06.2022 and thereafter remanded on
14.06.2022 for the offences punishable under Sections 147, 148, 341,



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364 and 302 of IPC in crime No.387 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 attacked the *de-facto* complainant using deadly weapons and thereby, the deceased lost his life on the spot. Hence, the case.

3. There are totally 16 accused, in which the petitioner is arrayed as A7. Even according to the case of the prosecution, the petitioner was present in the scene of occurrence. There is no specific overt act as against 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, 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 Judicial**



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Magistrate, Ambattur 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 Melmaruvathur and report before the Inspector of Police, Melmaruvathur 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. for a period of four weeks and thereafter as and when required for interrogation.

[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.

28.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Ambattur.
- 2.The Inspector of Police,
Ambattur Police Station,
Thiruvallur.
- 3.Central Prison II, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras

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