



WEB COPY



CrI.OP.No.17534 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2022

CORAM

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

CrI.OP.No.17534 of 2022

1.Balamanikandan
2.Baranikumar
3.Srinivasan

...Petitioners

Vs.

State rep. by its
The Inspector of Police,
Ayilpatty Police Station,
Namakkal.
(Crime No.69 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.69 of 2022, on the
file of the Respondent Police.

For petitioners : M/s.W.Camyles Gandhi

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 06.06.2022 for the offences punishable under Sections 302 of



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IPC in crime No.69 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to family dispute, there was a wordy quarrel between the deceased and the petitioners herein, where the petitioners had assaulted the deceased with wooden log. Hence, the complaint.

3. The deceased had three wives. The 1st and 2nd petitioner are born through 2nd wife and 3rd petitioner is the deceased sister's son. Due to the deceased bad conduct, the petitioners had attacked the deceased with wooden log and as such, he sustained grievous injuries and died.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e.06.06.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of **Rs.10,000/- (Rupees ten thousand only)** with **two sureties**, each for a like sum to the



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satisfaction of the **learned Judicial Magistrate - Rasipuram**, 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 twice daily at 10.30 a.m. and 5.30 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate - Rasipuram.
- 2.The Inspector of Police,
Ayilpatty Police Station,
Namakkal.
- 3.Central Prison - Salem.
- 4.The Public Prosecutor,
High Court of Madras

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