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CrI.OP.No.17754 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

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

CrI.OP.No.17754 of 2022

K.Chinnavan

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi.
Crime No.240 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.240 of 2022 on the
file of the respondent Police.

For Petitioner	: Mr.P.Jayachandran
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 06.06.2022 for the offences punishable under Section 174
Cr.P.C. @ Sections 294(b), 323 and 302 of IPC in crime No.240 of 2022



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on the file of the respondent police, seeks bail.

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2. There was a property dispute between the petitioner and his father. Due to which, there was a wordy quarrel and there was a push and pull between them. Due to the same, the deceased fell down on the stone, sustained head injuries and died.

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., on 06.06.2022, 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 **Judicial Magistrate I Court At Sankarapuram** 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of six weeks and



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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, I Court At Sankarapuram.
- 2.The Inspector of Police,
Sankarapuram Police Station,
Kallakurichi.
- 3.Cuddalore, Central Prison.
- 4.The Public Prosecutor,
High Court of Madras

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