



Crl.O.P.No.17634 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2022

CORAM

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

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M.Ezilarasan

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
Crime No.144 of 2022
..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pertaining to Crime No.144 of
2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.R.Jayaprakash

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.06.2022 for the offences punishable under Section 306 of Indian Penal Code, 1860 in Crime No. 144 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, on 17.06.2022, at about 9.30.a.m., the petitioner had insulted the deceased and also tried to assault him while enquiring about the accounts of the expenses sent on the Temple expenditure. Thereby, the petitioner consumed rat poison and died. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the petitioner is in Judicial Custody from 18.06.2022. onwards. Hence, he has prayed for grant of bail to the petitioner.



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4.The learned Additional Public Prosecutor appearing for the respondent submitted that there was a dispute in between the petitioner and the deceased in respect of settling the accounts of the temple and therefore, the victim humiliated and consumed poison and thereby lost his life. Hence, he opposed for grant of bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner from the date of arrest ie., from 18.06.2022, this Court is inclined to grant bail to the petitioner

6. 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 **Judicial Magistrate -I, Jayankondam** and on further conditions that:



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[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 04.30.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.

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To

1. Judicial Magistrate -I,
Jayankondam.
2. The Inspector of Police,
Vikkiramangalam Police Station,
Ariyalur District.
3. Central Prison,
Trichy.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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