



CrI.OP.No.17791 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2022

CORAM

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

CrI.OP.No.17791 of 2022

S.Sujith

...Petitioner/A3

Vs.

State rep by its,
Inspector of Police,
S-16 Perumbakkam Police Station,
Chengalpet District.
Crime No.71 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to release the petitioner on bail in Cr.No.71 of 2022 on the file of
the Inspector of Police, S-16 Perumbakkam Police Station, Chengalpet
District.

For Petitioner	: Mr.K.Sathyaraj
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 19.05.2022 for the offences punishable under Section 174
Cr.P.C. @ Sections 147, 148 and 302 of IPC in crime No.71 of 2022 on



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the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to previous enmity, the petitioner herein along with other accused have brutally assaulted the victim using hands and wooden log and the victim died. Hence, the case.

3. There are totally 7 accused, in which the petitioner is arrayed as A3. The accused persons and the deceased are friends. After consuming alcohol, there was wordy quarrel between them. Due to which, the accused persons attacked the deceased with wooden log and also by hands. Therefore, the deceased sustained grievous injuries and died. As far as the petitioner is concerned, he is arrayed as A3 and he attacked the deceased with hands.

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 i.e., on 19.05.2022, 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**



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only) with two sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate-II Alandur** 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 Dharmapuri and report before the Inspector of Police, Dharmapuri Town 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., 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.

29.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate II Alandhur.
- 2.The Inspector of Police,
S-16 Perumbakkam Police Station,
Chengalpet District.
- 3.Central Prison-II at Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras

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