



WEB COPY



Crl.OP.No.19440 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2022

CORAM

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

Crl.OP.No.19440 of 2022

Rajamanickam @ Sundampattiyan

...Petitioner

Vs.

State Rep. by:
The Inspector of Police,
Natrampalli Police Station,
Thirupathur District.
(Crime No.512 of 2021)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No. 512 of 2021 on the file of the respondent police.

For Petitioner :Mr.G.Nirmal Krishnan

For Respondent :Mr.A.Gopinath
Govt. Advocate (Crl.Side)



Crl.OP.No.19440 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 13.07.2022 for the offences punishable under Sections 294(b), 506(ii) and 302 of IPC altered into 294 (b), 498(A), 120(B), 506(ii), 302 of I.P.C read with Section 34 of I.P.C in crime No.512 of 2021 on the file of the respondent police, seeks bail.

2. It is seen that, there are totally 3 accused, in which, the petitioner is arrayed as A3 and he is the brother of A1. It is alleged that A1, being the father-in-law of the deceased, due to family dispute, had attacked the deceased with Aruval, due to which, the deceased sustained grievous injuries and died on the spot. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner is the brother of A1 and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.



WEB COPY



Crl.OP.No.19440 of 2022

4. The learned Government Advocate (Crl.Side) submitted that co-accused had been granted anticipatory bail by this Court. However, he opposed for grant of bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of arrest i.e., 13.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, No.III, Thirupathur**, 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



Crl.OP.No.19440 of 2022

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.

22.08.2022

Sma

To

4/6



CrI.OP.No.19440 of 2022

1.The Judicial Magistrate No.III,
Thirupathur.

2.The Inspector of Police,
Natrampalli Police Station,
Thirupathur District.

3. Central Jail,
Vellore.

4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN,J.



WEB COPY



Crl.OP.No.19440 of 2022

Sma

Crl.O.P.No.19440 of 2022

22.08.2022