



Crl.OP.No.21373 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2022

CORAM

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

Crl.OP.No.21373 of 2022

S.Saran @ Mosas

...Petitioner

Vs.

State represented by
The Inspector of Police,
F-2, Egmore Police Station,
Chennai.
(Crime No.236 of 2022)

..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.236 of 2022 on the file of the respondent police.

For Petitioner :Mr.Kamal

For Respondent :Mr.S.Santhosh
Government Advocate (Crl.Side)



WEB COPY



CrI.OP.No.21373 of 2022

ORDER

The petitioner, who was arrested and remanded to judicial custody on 06.06.2022 for the offences punishable under Sections **147, 148, 302 read with Section 34 of IPC** in Crime No. 236 of 2022 on the file of the respondent police, seek bail.

2. It is a case of retaliation murder, in which, the petitioner along with other accused brutally attacked the deceased with knife and thereby murdered him. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in Judicial Custody from 06.06.2022 onwards. Hence, he prays for grant of bail to the petitioner.



Crl.OP.No.21373 of 2022

WEB COPY

4. The learned Government Advocate (Crl. Side) already this Court dismissed the petitioner's bail petition in Crl.O.P.No.18515 of 2022 dated 05.08.2022. Hence, 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., 06.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing separate 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 XIV Metropolitan Magistrate, Egmore at Chennai** 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.



CrI.OP.No.21373 of 2022

WEB COPY

[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 four weeks and 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 abscond, a fresh FIR can be registered under Section 229A IPC.

07.09.2022

Sma



Crl.OP.No.21373 of 2022

WEB COPY

To

1. XIV Metropolitan Magistrate,
Egmore at Chennai.
2. The Inspector of Police,
F-2, Egmore Police Station,
Chennai.
3. Central Prison,
Puzhal
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.21373 of 2022

G.K.ILANTHIRAIYAN, J.
Sma

Crl.O.P.No.21373 of 2022

07.09.2022