



WEB COPY



Crl.OP.Nos.20425 & 20427 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2022

CORAM

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

Crl.OP.Nos.20425 & 20427 of 2022

VengateshPetitioner in Crl.O.P.No.20425 of 2022

VigneshPetitioner in Crl.O.P.No.20427 of 2022

Vs.

State represented by
Inspector of Police,
F2, Egmore Police Station.
(Crime No.236 of 2022)

..Respondent in both Crl.O.P's

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Crime No.236 of 2022 on the
file of the respondent.

For Petitioners :Mr.M.Ponmudi

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

ORDER



WEB COPY



Crl.OP.Nos.20425 & 20427 of 2022

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

2. The case of the prosecution is that, due to previous enmity, the petitioners along with other accused waylaid the victim and brutally attacked him using deadly weapons. Due to which, the victim sustained grievous injuries all over his body and died on the spot. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that, A1 in this case had already been enlarged on bail. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that, apart from this case, there is no previous case pending against the petitioners. However, he opposed for grant of bail to the petitioners.

5. Considering the above facts and circumstances of the case



Crl.OP.Nos.20425 & 20427 of 2022

and also the period of incarceration by the petitioners from the date of their arrest i.e., 06.06.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a 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 **XIVth Metropolitan Magistrate Court, Egmore** 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 petitioners 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 thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.



Crl.OP.Nos.20425 & 20427 of 2022

WEB COPY

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

26.08.2022

Sma



CrI.OP.Nos.20425 & 20427 of 2022

WEB COPY

To

1. XIV the Metropolitan Magistrate Court,
Egmore.
2. Inspector of Police,
Perundurai Police Station,
Erode District.
3. District Jail,
Gobichettypalayam.
4. The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.Nos.20425 & 20427 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.OP.Nos.20425 & 20427 of 2022

26.08.2022