



WEB COPY



Crl.OP.Nos.20670 & 20671 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

Crl.OP.Nos.20670 & 20671 of 2022

Karthikeyan @ Karthi ...Petitioner in Crl.O.P.No.20670 of 2022

Kaviyarasan ...Petitioner in Crl.O.P.No.20671 of 2022
Vs.

State represented by
The Inspector of Police,
Eravacherry Police Station,
Thiruvarur District.
(Crime No.162 of 2022)

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

PRAYER:

Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.162 of 2022 on the file of the respondent police.

For Petitioners :Mr.T.Muruganantham

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



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ORDER

The petitioners in both the Crl.O.Ps, who were arrested and remanded to judicial custody on 20.06.2022 for the offences punishable under Sections 147, 148, 341, 294(b) and 302 in Crime No.162 of 2022, seeks bail.

2. The case of the prosecution is that totally there are 14 accused in this case. The petitioners are arrayed as A3 and A4. It is alleged that A1's father was murdered by the defacto complainant. As a retaliation, the accused persons had attacked the deceased and thereby the deceased died.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and a false case has been lodged against the petitioners. Hence, he prayed for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that already this Court dismissed the petitioners' bail petition. Hence, he opposed for grant of bail to the petitioners.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., 20.06.2022, 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 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 **Judicial Magistrate, Nannilam** 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 stay at Chennai and report before Tambaram Town Police Station twice daily at 10.30.a.m., and 05.30.p.m., for a period of four weeks and thereafter 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.



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[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.

[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.

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To

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1. Judicial Magistrate,
Nannilam.
2. The Inspector of Police,
Eravacherry Police Station,
Thiruvarur 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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