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Crl.O.P.No.22341 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2022

CORAM0

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.22341 of 2022

Baskaran @ Bass

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore District.
Crime No.92 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.92 of 2022 on the file of
the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.04.2022 for the offences punishable under Sections 120(b), 341, 147, 148, 294(b), 307 & 302 of IPC, in Crime No.92 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on account of previous enmity regarding snatching of cell phone, the petitioner along with the other accused waylaid the defacto complainant and committed murder of the defacto complainant's friend and also caused injuries to the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case since, he happens to be the friend of the other accused. He would also submit that the petitioner is in custody from 27.04.2022 and the respondent has also completed the investigation and the final report has also been filed and the case has been taken on file in S.C.No.99 of 2022 on the file of the Sessions



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Court for Trial of Bomb Blast Cases, Coimbatore. He would further submit that the petitioner is prepared to abide by any stringent conditions that may be imposed on him and the co-accused, who have been similarly placed in this case, have been granted bail. Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner along with the other accused due to previous enmity, had committed murder of the defacto complainant's friend. He would also submit that the investigation has been completed and the final report has also been filed and the case has been taken on file in S.C.No.99 of 2022 on the file of the Sessions Court for Trial of Bomb Blast Cases, Coimbatore. However, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the



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case, the submissions made by the learned counsel and also the fact that the investigation has been completed and the final report has also been filed and the case has been taken on file in S.C.No.99 of 2022 on the file of the Sessions Court for Trial of Bomb Blast Cases, Coimbatore and the co-accused, who have been similarly placed, have been enlarged on bail, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate V, Coimbatore**, 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 appear before the **learned Sessions Judge, Sessions Court for Trial of Bomb Blast Cases, Coimbatore daily at 10.30 a.m., until further orders;**



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[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.

15.09.2022

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A.D.JAGADISH CHANDIRA., J.

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To

1. The Sessions Judge,
Sessions Court for Trial of Bomb Blast Cases,
Coimbatore
2. The Judicial Magistrate V,
Coimbatore.
3. The Inspector of Police,
B-4, Ukkadam Police Station,
Coimbatore District.
4. The Superintendent,
Central Prison,
Coimbatore.
5. The Public Prosecutor,
High Court of Madras.

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