



Crl.O.P.No.25441 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

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

**Crl.O.P.No.25441 of 2022**

Babu @ Babudin

... Petitioner

Vs.

State rep. by,  
The Inspector of Police,  
Thazhambur Police Station,  
Pallikaranai District.  
(Crime No.277 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.277 of 2022 on the file  
of the respondent Police.

For Petitioner : Mr.J.Ranjith Kumar

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





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deceased. He would also state that the petitioner has no previous case as against him. 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 his friends had gone to the TASMACH shop, where the deceased had also come along with his friends and there was a quarrel and during which, the accused had attacked the deceased with wooden logs resulting in him sustaining injuries and he was taken to the hospital and declared brought dead. He would further submit that the allegation as against the petitioner is that only he indulged in a quarrel and he has not touched the deceased. Therefore, 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 of the facts and circumstances of the



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case, the submissions made by the learned counsel and also the period of incarceration suffered by the petitioner and also the fact that the allegation against the petitioner is that he has only quarrelled with the petitioner, 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-I, Chengalpattu**, 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 stay at Madurai and report before the Inspector of Police, Goripalayam Police Station, Madurai, daily at 10.30 a.m., and 05.30 p.m., until further orders;**

[c] the petitioner shall not abscond either during investigation or trial;



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[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.

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1. The Judicial Magistrate-I,  
Chengalpattu.
2. The Inspector of Police,  
Thazhambur Police Station,  
Pallikaranai District.
3. The Sub Jail, Chengalpattu.
4. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA., J.**

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