



Crl.O.P.No.25996 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

CORAM

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

Crl.O.P.No.25996 of 2022

Ameer Basha @ Ameer

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Kundrathur Police Station,
Kanchipuram District.

(Crime No.581/2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.581
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Pugalenth

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 25.08.2022, for the offences punishable under Sections 302 IPC, in Crime No.581 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner had committed murder of his father by assaulting him with wooden log. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner, aged about 20 years, is none other than the son of the deceased/victim. He would further submit that the victim had assaulted his wife/mother of the petitioner, due to which there was a quarrel and during the quarrel, at high heat of passion, the petitioner had assaulted the victim resulting in his death and there is no intention or motive on the part of the petitioner to commit murder of his father. He would also submit that the petitioner is in custody from 25.08.2022 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner



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4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that based on the complaint given by the Village Administrative Officer, the case has been registered. He would further submit that due to the family dispute, there arose a quarrel between the petitioner and the victim, who is the father of the deceased, in which the petitioner had assaulted the victim with wooden log and committed patricide. He would also submit that there is no previous case against the petitioner. He would further submit that the investigation is pending and hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned counsel and taking note of the fact that there is no bad antecedence as against the petitioner and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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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, Sriperumpudur**, 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 report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond 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



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Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**
[(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC;

27.10.2022

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To

1. The Judicial Magistrate, Sriperumpudur.
2. The Inspector of Police,
Kundrathur Police Station,
Kanchipuram District.
3. The Central Prison - 2,
Puzhal, Chennai -66.
4. The Public Prosecutor,
High Court of Madras.



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