



CrI.O.P.No.26065 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**

CrI.O.P.No.26065 of 2022

Vikram

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
T-1, Ambattur Police Station,
Chennai- 600 053.

Crime No.573 of 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.573
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Anandakumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.08.2022, for the offences punishable under Sections 147, 148, 341, 302, 120B of IPC, in Crime No.573 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that as a retaliation to an earlier murder, the petitioner along with the other accused had committed the murder of the deceased Karthick by cutting him indiscriminately with knife all along the body, resulting in him dying on the same spot. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner, aged about 21 years, is an innocent person 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 even as per the prosecution, other than the allegation of being present at the scene of occurrence, there is no other allegation as against the petitioner. He would also state that the petitioner is in custody from 18.08.2022 and the similarly placed co-accused



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has been granted with bail by this Court in Crl.O.P.No.24756 of 2022 dated 13.10.2022. Hence, he prays for grant of bail to the petitioner.

4. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent would submit that the accused had committed the murder of the deceased Karthick by cutting him indiscriminately with knife and committed murder of him. He would also submit that the petitioner is the friend of the main accused and the overt act attributed as against the petitioner is that he was present at the scene of occurrence. He would further submit that the investigation is pending. Therefore, he vehemently 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 circumstances of the case, the submission made by the learned counsel, the period of incarceration suffered by the petitioner and also considering the age of the petitioner and



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the allegations as against him, 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, Ambattur**, 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 Vendasandur and report before the Inspector of Police, Vendasandur Police Station, Dindigul District, daily 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



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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 absconds, a fresh FIR can be registered under Section 229A IPC;

27.10.2022

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To

1. The Judicial Magistrate,
Ambattur.
2. The Inspector of Police,
T-1, Ambattur Police Station,
Chennai- 600 053.
3. The Central Prison,
Puzhal, Chennai.
4. The Inspector of Police,
Vedasandur Police Station,
Dindigul.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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