



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2022

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.8013 of 2022

Venkatasubramanian

... Petitioner/Accused No.13

Vs

The State rep.by,
The Inspector of Police,
Palayamkottai Police Station,
Tirunelveli District,
Crime No.102 of 2022.

... Respondent/Complainant

For Petitioner : MR.J.Senthil Kumar,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-For Bail in Crime No.102 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A13, who was arrested and remanded to judicial custody on 01.03.2022 for the offences punishable under Sections 147, 148, 294(b), 302 and 506(ii) of IPC r/w 120(B) and 212 of Cr.P.C, in Crime No.102 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to political motive between the petitioner along with other accused and the de-facto complainant's son, the petitioner and other accused murdered her son. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner was not at all present in the scene of occurrence and he has been falsely implicated in this case. He would further submit that the co-accused were already arrested and released on bail.



4.The learned Government Advocate (Crl.Side) would submit that the material part of the investigation is almost completed and that the petitioner is not having any previous case for similar offence.

5.Considering the above facts and circumstances and also taking note of the fact that the petitioner is in judicial custody from 01.03.2022 and also the facts that the co-accused were already arrested and released on bail and that the investigation might have been completed by this time, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6.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 No.I, Tirunelveli.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall stay at Chengalpet and report before the Inspector of Police, Chengalpattu Police Station, Chengalpattu, daily at 10.30 a.m., for a period of one month and thereafter, the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(iii)the petitioner shall not tamper with evidence or witness;

(iv)the petitioner shall not abscond during trial;

(v)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]***.

(vi)If the accused / petitioner thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-

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/ TRUE COPY /

28/04/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:
THE INSPECTOR OF POLICE,
CHENGALPATTU POLICE STATION,
CHENGALPATTU,

ORDER
IN
CRL OP(MD) No.8013 of 2022
Date :28/04/2022

SJI
MK/VR/SAR.II/28.04.2022/3P/7C