



Crl.OP.No.11816 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2023

CORAM

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.OP.No.11816 of 2023

Vengadesan Pandiyan alias Venkatesan @ Ragul eli
S/o.Pandiyan

... Petitioner

Vs.

The State represented by
The Inspector of Police
Perambalur Police Station
Perambalur,
Perambalur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the Petitioner on bail pending investigation in Crime
No.154 of 2023 on the file of the Inspector of Police, Perambalur Police
Station, Perambalur District.

For Petitioner : Mr.M.P.Venkatakrishnan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)



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ORDER

The Petitioner, who was arrested and remanded to judicial custody on 30.03.2023 for the offences punishable under Sections 147, 148, 294(b) and 302 of IPC, in Crime No.154 of 2023 on the file of the Respondent Police, seeks bail.

2. The case of the Prosecution is that on 12.03.2023, Petitioner and other Accused Persons forced the victim to consume ganja. Further, the Victim was attacked by the Accused Persons, due to which, Victim died. Hence, the case.

3. The learned Counsel appearing for the Petitioner would submit that the Petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that the Petitioner has been suffering incarceration from 30.03.2023. Therefore, he prays for grant of bail to the Petitioner.



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4. The learned Government Advocate (Crl. Side) submitted that, A7 in this case was already granted bail by this Court. He further submitted that A1 and A2 were detained under goondas Act. He also submitted that, apart from this case, there are two previous cases under section 379 of IPC pending against the Petitioner. However, he opposed for grant of 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 including the First Information Report.

6. Considering the above facts and circumstances and considering the period of incarceration suffered by the Petitioner, this Court is inclined to grant bail to the Petitioner with certain conditions:

7. Accordingly, the Petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.I, Perambalur, Perambalur District, and on



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further conditions that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial / Metropolitan Magistrate may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioner shall stay at Madurai and report before the Inspector of Police, K.K.Nagar Police Station, daily at 10.30 a.m., until further orders. He shall not enter into the jurisdictional limit of Perambalur District until further orders.

(c) the petitioner shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.



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(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

24.05.2023

jas/sma

To

1. The Judicial Magistrate Court No.I, Perambalur, Perambalur District.
2. The Inspector of Police
Perambalur Police Station
Perambalur,
Perambalur District.
3. The Central Prison,
Trichy.
4. The Public Prosecutor,
High Court of Madras.



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SATHI KUMAR SUKUMARA KURUP,J.

jas/sma

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