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Crl.O.P.No.14536 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.14536 of 2023

Ajithkumar @ Ajith

...Petitioner

Vs.

The State Represented by,
The Inspector of Police,
Koradachery Police Station,
Tiruvarur District.
(Crime No.81 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. pleaded to enlarge the petitioner on bail in the above Crime No.81 of 2023 on the file of the respondent police.

For Petitioner : Mr.J.Ramkumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)



Crl.O.P.No.14536 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.04.2023 for the offences punishable under Sections 341, 147, 148, 506(ii), 307, 302, 120(B), 427 and 212 of IPC in Crime No.81 of 2023 on the file of the respondent police, seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.81 of 2023 for the offences under Sections 341, 147, 148, 506(ii), 307, 302, 120(B), 427 and 212 of IPC. He has not involved in the alleged murder of deceased Rajkumar. He is in judicial custody from 25.04.2023. Thus, he prays for grant of bail.

3. In reply, the learned Government Advocate (Crl. Side) oppose this petition, on the ground that, 1st accused's father was murdered by the deceased Rajkumar. In retaliation for the murder of 1st accused's father, the accused had committed the murder of the deceased Rajkumar. The allegations against this petitioner is that, he gave shelter to the accused, who committed murder of Rajkumar. Therefore, he prays for dismissal of this bail petition.



Crl.O.P.No.14536 of 2023

4. In the light of the facts of the case, it is made clear that, the allegation against this petitioner is that, he gave shelter to the accused, who have committed murder of Rajkumar. Petitioner is in judicial custody from 25.04.2023 and the co-accused have been released on bail by the Order of this Court in Crl.O.P.Nos.12011, 12012 and 12021 of 2023. Therefore, this Court is inclined to grant bail to the petitioner.

5. 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, Tiruvarur** 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 daily at 10.30.a.m., until further orders.



Crl.O.P.No.14536 of 2023

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

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

04.07.2023

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Crl.O.P.No.14536 of 2023

To

- 1.The Judicial Magistrate,
Tiruvarur.
- 2.The District Jail,
Cuddalore.
- 3.The Inspector of Police,
Koradachery Police Station,
Tiruvarur District.
- 4.The Public Prosecutor,
High Court of Madras



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Crl.O.P.No.14536 of 2023

G.CHANDRASEKHARAN. J.

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Crl.O.P.No.14536 of 2023

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