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CrI.OP.No.14596 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.07.2023

CORAM

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

CrI.OP.No.14596 of 2023

Sathishkumar
..Petitioner

Vs.

State Rep by its,
The Inspector of Police,
K.G.Chavadi Police Station,
Coimbatore District.
Crime No.90 of 2023.

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending disposal in Crime No.90
of 2023 on the file of K.G.Chavadi Police Station, Coimbatore District.

For Petitioner : M/s.M.Saravanakumar

For Respondent : Mr. Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



Crl.OP.No.14596 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.05.2023 for the offence punishable under Sections 307 and 506(ii) of IPC in Crime No.90 of 2023 on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case in Crime No.90 of 2023 registered for the offence under Sections 307 and 506(ii) of IPC. Thus, he seeks for bail to the petitioner.

3. In response, learned Government Advocate (Crl. Side) submitted that, petitioner and the defacto complainant were in love with each other. However, defacto complainant's parents started to look for some other alliance. On coming to know about this, petitioner had stabbed the defacto complainant multiple times. He further submitted that, injured has been discharged from hospital.



CrI.OP.No.14596 of 2023

4. Considering the facts and circumstances of the case and that the petitioner is in Judicial Custody from 26.05.2023 and that, material part of the investigation might have been over by this time, 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 **Judicial Magistrate of Madukkarai, Coimbatore** 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.



CrI.OP.No.14596 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.

11.07.2023

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CrI.OP.No.14596 of 2023

WEB COPY

To

1. The Judicial Magistrate of Madukkarai, Coimbatore
2. The Inspector of Police,
K.G.Chavadi Police Station,
Coimbatore District.
3. Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras



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CrI.OP.No.14596 of 2023

G.CHANDRASEKHARAN. J.

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CrI.O.P.No.14596 of 2023

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