



CrI.OP.No.14764 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.14764 of 2023

Iven Shiyam

..Petitioner

Vs.

The State of Tamil Nadu
Rep by the Inspector of Police,
Race Course Police Station,
Coimbatore City.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.82 of 2023 on the
file of the respondent Police.

For Petitioner : Mr.Deepanuday

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



WEB COPY



Crl.OP.No.14764 of 2023

ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.02.2023 for the offence punishable under Sections 147, 148, 302, 307, 506(ii), 120B, 326 and 149 of IPC in Crime No.82 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is the 8th accused in Crime No.82 of 2023 registered for the offence under Sections 147, 148, 302, 307, 506(ii), 120B, 326 and 149 of IPC. Petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that, A6 and A14 in this case were granted bail by this Court.

3. In response, learned Government Advocate (Crl. Side) submitted that, earlier the deceased had one Sriram, in retaliation to the murder of Sriram, accused persons had murdered the deceased, when he was attending the Court hearing. He further submitted that, investigation in this case is completed and final report is also filed.



CrI.OP.No.14764 of 2023

4. It is seen from the FIR allegations that the deceased was murdered by the accused in this case on 13.02.2023 when he was attending Court hearing. Investigation in this case is completed and final report is also filed.

5. Considering the nature, facts and circumstances of the case and that, co-accused in this case were granted bail and also the fact that petitioner is in Judicial Custody from 27.02.2023 and the investigation in this case is completed and final report is also filed, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on their executing 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 -3, 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.



CrI.OP.No.14764 of 2023

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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

Sma



CrI.OP.No.14764 of 2023

To

1. Judicial Magistrate No.III,
Coimbatore.

2. Inspector of Police,
Race Course Police Station,
Coimbatore City.

3. The Central Prison,
Coimbatore.

4. The Public Prosecutor,
High Court of Madras



WEB COPY



CrI.OP.No.14764 of 2023

G.CHANDRASEKHARAN. J.

Sma

CrI.O.P.No.14764 of 2023

11.07.2023