



Crl.O.P.No.17690 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

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

Crl.O.P.No.17690 of 2023

Malayarasan

...Petitioner

Vs.

The State of Tamilnadu rep. By Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram.
Cr.No.531 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioner on bail in Cr.No.531 of 2023 pending before the respondent police for the offence under Secs. 341, 294(b), 323, 324, 506(ii) of IPC altered to u/s 341, 294(b), 506(ii) IPC, 304(ii) IPC, 304(2) IPC.

For Petitioner : Mr.S.N.Subramani

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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p.m., had scolded the deceased in filthy language, attacked him with hands and legs and with wooden log on his head and caused his death. Though FIR was registered for the offence under Sections 341, 294(b), 323, 324, 506(ii) of IPC, subsequently, it is altered into offence under Section 341, 294(b), 506(ii) & 304(2) IPC.

5. From the FIR allegations and alteration report, it is evident that on the belief that deceased was talking something against the petitioner, petitioner had beaten him with his hands and legs and wooden log and caused injuries, resulting in his death. The petitioner is in judicial custody from 01.06.2023. Substantial part of the investigation might have been completed by this time.

6. In the said circumstances, this Court is inclined to grant bail to the petitioner with conditions. 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, Sriperumbudur**, and on further conditions that :-

[a] the sureties shall affix their photographs and
Left Thumb Impression in the surety bond and the



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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.

[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.

mpl

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To

- 1.The Judicial Magistrate,
Sriperumbudur.
- 2.The Central Prison, Puzhal.
- 3.The Inspector of Police,
Sriperumbudur Police Station,
Kanchipuram.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

mpl

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