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CrI.OP.No.18568 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.08.2023

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

CrI.OP.No.18568 of 2023

Jilla Susi @ Susindar

..Petitioner

Vs.

The State Rep by,
The Inspector of Police,
Velankanni Police Station,
Nagapattinam.
Crime No.288 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in S.C.No.06 of 2023 pending on the file of the Principal District Judge at Nagapattinam in Crime No.288 of 2022 on the file of the respondent police.

For Petitioner : Mr.A.Tamilvanan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.08.2022 for the offences punishable under Sections 147, 149, 120(B), 109 and 302 of IPC pending in S.C.No.06 of 2023 on the file of the Principal District Judge, Nagapattinam in connection with Crime No.288 of 2022, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in this case. Petitioner is in Judicial Custody from 23.08.2022. Thus, he seeks bail to the petitioner.

3. In response, learned Additional Public Prosecutor submitted that, deceased Manohar was running a finance office. One Manivel was working under him, On 17.08.2022, at about 09.30.p.m., the deceased Manohar and Manivel were looking after the collection amounts. At that time, about 10 persons trespassed into the office and started attacking the deceased with aruval. When, Manivel tried to prevent him, he was also attacked. As a result, deceased suffered fatal injuries and succumbed. Manivel also suffered injuries. The main overt act as against



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the petitioner is that, he was helping the accused in escaping from the scene of occurrence. Investigation in this case is completed and final report is also filed in S.C.No.06 of 2023 on the file of the Principal District Judge, Nagapattinam.

4. Considering the fact that investigation in this case is completed and the case is pending in S.C.No.06 of 2023 and also having regard to fact that, petitioner is in Judicial Custody from 29.08.2022, 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 No.I, Nagapattinam** 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.



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[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.

23.08.2023

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To

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1. Judicial Magistrate No.I, Nagapattinam
2. The Inspector of Police,
Velankanni Police Station,
Nagapattinam.
3. Trichy Central Jail.
4. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN. J.

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23.08.2023

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