



Crl.O.P.No.18833 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.18833 of 2023

1.J.Janarthanan

2.J.Pugazenthi

...Petitioners

Vs.

State represented by,
The Inspector of Police,
Sripurumbudur Police Station,
Kanchipuram District.
(Crime No.616 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on Bail pending investigation in Cr.No.616 of 2023 on the file of the Inspector of Police, Sriperumbudur Police Station, Kanchipuram District.

For Petitioners : M/S.Y.Deva Arul Prakash

For Respondent : Mr.S.Rajakumar,
Additional Public Prosecutor,
High Court of Madras.



Crl.O.P.No.18833 of 2023

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ORDER

The petitioners, who were arrested and remanded to judicial custody on 22.06.2023 for the offences punishable under Sections 448, 294 (b), 307, 506 (ii) of I.P.C., subsequently Section 307 was altered as Section 302 I.P.C in Crime No.616 of 2023 on the file of the respondent police, seek bail.

2.It is the submission of the learned counsel for the petitioners that in connection with love affair between the deceased and one Ramya, petitioners are falsely implicated in this case for the reason that they are uncles of Ramya. Petitioners are in judicial custody from 22.06.2023. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted that the deceased was in love with one Ramya. Therefore, Ramya's father Sridhar had taken Ramya to Pullarampakkam Village and made her to stay in his relative's house. While that being the case, on 21.06.2023, deceased went to see Ramya in that village. Enraged at this, petitioners,



Crl.O.P.No.18833 of 2023

the maternal uncle of Ramya had come to house of deceased on 22.06.2023 at about 10.40 a.m., scolded him in filthy language. First petitioner/Janarthanan had hit deceased with iron rod and second petitioner/Pugazhendi had hit deceased with wooden log. As a result, deceased suffered serious injuries and succumbed to the injuries. It is further submitted that investigation in this case is completed and final report is filed and it is taken on file in P.R.C.No.49 of 2023 by the learned Judicial Magistrate, Sriperumbudur.

4.Considered the rival submissions and perused the records.

5.Considering the submission made by the learned counsel appearing for parties, that investigation in this case is completed and final report is filed and it is taken on file in P.R.C.No.49 of 2023 by the learned Judicial Magistrate, Sriperumbudur, and that petitioners are in judicial custody from 22.06.2023, this Court is inclined to grant bail to the petitioners with conditions.



Crl.O.P.No.18833 of 2023

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/-** each (Rupees Ten Thousand only) each 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.00.a.m., until further orders.

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

[d] the petitioners 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].



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CrI.O.P.No.18833 of 2023

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

30.08.2023

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Crl.O.P.No.18833 of 2023

G.CHANDRASEKHARAN. J.

ep/veda

To

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

Crl.O.P.No.18833 of 2023



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CrI.O.P.No.18833 of 2023

30.08.2023