



Crl.OP.No.19837 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

THE HON'BLE DR. JUSTICE **G.JAYACHANDRAN**

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M.Shanmugam
1

...Petitioner/Accused-

Vs.

The State Rep by
The Inspector of Police,
Poonamalee Police Station,
Avadi District.
(Crime No.884 of 2020)
...Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439 Cr.P.C. praying to grant bail to the petitioner pending investigation in Crime No.884 of 2020 pending investigation on the file of the respondent Police.

For Petitioner : Mr.P.Chandrasekar

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner herein was arrested on 21.09.2020, in connection with the murder of Meena, aged 19 years.



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2. According to the First Information Report, the petitioner being an assistant to Mason, came for work in the house of the defacto-complainant. On 21.09.2020 when her daughter was alone, he has murdered her causing cut injury on her neck and stolen 1½ sovereigns of gold chain. The petitioner is in jail since 21.09.2020. On completion of investigation, the police has filed Final Report and same has been taken on file in S.C.No.48 of 2021, by the Mahalir Neethi Mandram, Fast Track Court, Tiruvallur.

3.The learned Government Advocate (Crl.Side) appearing for the State submits that the charge has already been framed and the case is ripe for trial.

4. Considering the facts and circumstances, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of
Rs.25,000/- (Rupees Twenty Five Thosand only) with



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two sureties, each for a like sum, to the satisfaction of the learned **Mahalir Neethi Mandram, Fast Track Court, Tiruvallur;**

(b) 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.

[c] the petitioner shall report before the trial Court daily at 10.30.a.m., until further orders.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

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apd/rpl



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G.JAYACHANDRAN. J.

apd/rpl

To

1.The Mahalir Neethi Mandram,
Fast Track Court, Tiruvallur.

2.The Inspector of Police,
Poonamalee Police Station,
Avadi District.

3.The Superintendent,Central Prison, Puzhal II.

4.The Public Prosecutor,
High Court of Madras

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