



Crl.OP.No.20491 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.20491 of 2023

1.Karunakaran
2.Arumugam
3.Ramesh
4.Ekambaram
5.Pasupathi
A7

...Petitioners / A3 to

Vs.

State represented by its
Inspector of Police,
Cheyyar Police Station,
Thiruvannamalai District.
(Crime No.407 of 2023)
...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail relating to Crime No. 407 of
2023 on the file of Inspector of Police, Cheyyar Police Station,
Thiruvannamalai District.

For Petitioner : Mr.S.Sarath Chandran



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For Respondent : Mr.R. Kishore Kumar
Government Advocate, Crl.Side

ORDER

The petitioners / A3 to A7, who were arrested and remanded to judicial custody on 01.08.2023 for the offences punishable under Sections 147, 148, 294(B), 323, 324, 307 and 302 of IPC in Crime No.407 of 2023 on the file of the respondent police, seek bail.

2.The case of the prosecution is that during the temple festival, there was a wordy quarrel between A1 and defacto complainant's father, as a result, A1 and the petitioners herein attacked the defacto complainant's father with the wooden log and thereby the defacto complainant's father sustained injury and immediately he was taken to the hospital, wherein he died. Hence the case was registered against the petitioners.

3.The learned counsel for the petitioners submitted that the petitioners are law abiding citizens and they have nothing to do with the



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incident and their names have been falsely implicated in this case. It is also submitted that A1 and A2 granted bail and there is also a counter case. Hence, he seeks for grant of bail to the petitioners.

4.The learned Government Advocate (Criminal Side) appearing of the respondent submitted that the petitioners abused the father of the defacto complainant in filthy language and assaulted him with wooden log and also assaulted the defacto complainant, due to which the father of the defacto complainant died. Hence, vehemently opposed for grant of bail to the petitioners.

5.Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners subject to the following conditions.

6.Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction



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of the **learned Judicial Magistrate Court, Cheyyar** 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 Inspector of Police, Thanjavur Town South Police Station, daily at 10.30.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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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

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Smv/ns1

To

1. Judicial Magistrate Court,
Cheyyar
2. Central Prison,
Vellore.
3. The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

Smv

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