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CrI.OP.No.20759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.OP.No.20759 of 2023

1.Hari @ Aravindan
2.Karthi @ Kathick

...Petitioners

Vs.

The State Rep by
Inspector of Police,
Vellore Taluk Police Station,
Vellore District.
(Crime No.164 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with the case in Crime No.164 of 2023 pending investigation on the file of the respondent Police.

For Petitioner : Mr.S.Viswanathan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 20.06.2023 and 23.06.2023 respectively for the offences punishable under Sections 294(b), 324, 506(ii) & 307 IPC @ 294(b), 324, 506(ii) & 302 of IPC in Crime No.164 of 2023 on the file of the respondent police, seeks bail.

2. Learned counsel for the petitioners submitted that, petitioners are falsely implicated in this case registered in Crime No. 164 of 2023 registered for the offences under Sections 294(b),324,506(ii) & 307 IPC @ 294(b),324,506(ii) & 302 of IPC. Petitioners are innocent. Petitioners are in judicial custody from 20.06.2023 and 23.06.2023 respectively. Thus, he prays for grant of bail to the petitioners.

3. Learned Additional Public Prosecutor submitted that, the defacto complainant is the wife of the deceased Ramesh. Defacto complainant and her husband helped Kumaravel while constructing the house. When the amount was requested to be returned, there was issue between the



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defacto complainant's husband and his brother. There is also an issue with regard to division of land. On 09.06.2023 at about 06.00.a.m., there was a wordy quarrel and exchange of blows between the defacto complainant's husband Ramesh and Kumaravel. On hearing this, Gokul @ Arun kumar with his friends Vignesh, Hari, Karthick had come there at about 04.45p.m., and started attacking the deceased with iron rod and wooden log. As a result, the deceased suffered injuries.

4. Considering the nature of the allegations made in the FIR the fact that, petitioners are in Judicial Custody from 20.06.2023 and 23.06.2023 respectively and that substantial part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their 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, Vellore** and on further conditions that :-



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

12.09.2023

Sma/dpa

To

1. Judicial Magistrate, Vellore

2. Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

3. Central Prison,
Vellore.

4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

Sma/dpa

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