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CrL.OP.No.22408 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

CrL.O.P.No.22408 of 2023

M.Karunainathan @ Karuna

.. Petitioner

Vs.

The State Rep.by
The Station House Officer,
Mettupalayam Police Station,
Puducherry.

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C
praying to enlarge the petitioner on bail in Crime No.97 of 2023 on the
file of the Inspector of Police, Mettupalayam Police Station, Puducherry.

For Petitioner : Mr.N.Raja

For Respondent : Mr.K.S.Mohan Dass,
Public Prosecutor (Puducherry)



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ORDER

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2. The petitioner herein was arrested on 09.06.2023 in connection with gruesome murder of Ram Kumar at the night of 4/6/2023. The deceased and the accused came to Puducherry from Thiruppur for tailoring work on contract basis and on the fateful night due to drunken brawl, the murder took place according to the prosecution. The petitioner/accused who fled from scene of crime, later secured by the police after two days based on the C.C.Tv Camera Footage. The petitioner hails from Kadaladi, Ramanathapuram District. Therefore, the learned Public Prosecutor for the Union Territory of Pondicherry opposed grant of bail on the ground that if the petitioner/accused is released on bail he may be not available for trial. However, the learned counsel appearing for the petitioner/accused states that the petitioner has roots at Ramanathapuram and he is ready to abide by any condition and not deter the progress of trial.

3. Considering the submissions and the fact that investigation has



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been completed and final report has been filed, the same has also been taken on file by the learned Principal Sessions Judge, Puducherry in S.C.No.75 of 2023 and the case is now posted for trial after framing charges, this Court is inclined to grant bail to the petitioner, with certain conditions. 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 Thousand only)** with two sureties, each for a like sum to the satisfaction of the **IV Judicial Magistrate, Puducherry.**

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) **the petitioner is directed to report before the Investigating Officer, Kadaladi Police Station, Ramanathapuram District daily at 10.30 a.m., until further orders and attend the trial in person without fail.**

(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 Judicial Magistrate/Trial Court is entitled to take



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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];

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

27.09.2023

Vv

To

1. The Chief Judge, Puducherry
2. The IV Judicial Magistrate, Puducherry.
3. The Station House Officer,
Mettupalayam Police Station,
Puducherry.
4. The Public Prosecutor,
High Court of Madras, Chennai.

Dr.G.JAYACHANDRAN,J.



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