



WEB COPY



Crl.OP.No.22582 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

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

Crl.OP.No.22582 of 2023

Murugan

...Petitioner

Vs.

State by
Inspector of Police,
T-12, Selaiyur Police Station,
Crime No.441 of 2023.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.441 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.S.Karthikeyan

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 09.08.2023 for the offence punishable under Sections 341, 294(b),



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302, 506(i) of IPC in Crime No.441 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that the deceased is a man selling fruits and the petitioner had gone over to buy the fruits and there was a quarrel and he had apparently pushed him and he suffered injuries and died on the next day.

3.It is stated by the respondent that there is no previous pending against the petitioner.

4.Taking into consideration the long period of incarceration and there is no previous case against the petitioner and it also appears to be a case of provocation of offence, this Court is inclined to grant bail to the petitioner with certain conditions;

5.Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Tambaram, and on further conditions that:

[a] the sureties shall affix their photographs and
Left Thumb Impression in the surety bond and the



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Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m until further orders.

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

[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 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].

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

10.10.2023

vkrr/rjr



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C.V.KARTHIKEYAN. J.

vkf

To

1.The Judicial Magistrate-I, Tambaram.

2.Central Prison, Puzhal.

3.The Inspector of Police,
T-12, Selaipur Police Station.

4.The Public Prosecutor,
High Court of Madras.

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