



Crl.OP.No.23157 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

CORAM

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

Crl.OP.No.23157 of 2023

V.Senthil Rajan
S/o.Veerasamy

...Petitioner/Sole Accused

Vs.

State represented by its
The Inspector of Police,
M-7, Manali New Town Police Station,
Tiruvallur District.
(Crime No.334 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.334 of 2023 pending on the file of the respondent police.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.09.2023 for the offences punishable under Section 174 altered into Section 302 IPC, in Crime No.334 of 2023, on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that the deceased was working in the shop of the petitioner herein. It is alleged that he had stolen scrap material from the shop and sold the same to the neighbouring shop. It is also stated that the petitioner went to the house of the deceased and took him back to the shop and apparently caused blunt injuries on the head. Then he called the wife of the deceased and asked her to take him away. Later he was admitted in the hospital and died.

3.It is stated by the learned Government Advocate (CrI.Side) that there are no previous cases filed against the petitioner.

4.Considering all these facts and the period of incarceration, this Court is inclined to grant bail to the petitioner subject to the payment of **Rs.25,000/- (Rupees Twenty Five Thousand only)** to the credit of the Crime No. 334 of 2023, within a period of two weeks from the date of receipt of a copy of this order as a compensation to the wife of the deceased. If such deposit is made, the same may be handed over by the



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learned Judicial Magistrate to the wife of the deceased. It is also made clear that it is only an interim compensation paid.

5. Accordingly, the petitioner is ordered to be released on bail on he executing 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 **Learned Judicial Magistrate No.II, Ponneri** 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 petitioner shall report before the respondent police everyday Morning at 10.30 a.m., and Evening at 05.30 p.m., until further orders.

[c] the petitioner is directed to pay a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of the Crime No. 334 of 2023, within a period of two weeks from the date of receipt of a copy of this order as a compensation to the wife of the deceased.



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[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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To

- 1.The Judicial Magistrate No.II, Ponneri.
- 2.The Central Prison, Puzhal.
- 3.The Public Prosecutor,
High Court of Madras.
- 4.The Inspector of Police,
M-7, Manali New Town Police Station,
Tiruvallur District.
(Crime No.334 of 2023)

C.V.KARTHIKEYAN. J.



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