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Crl.O.P.No. 24199 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.10.2023

CORAM

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

Crl.O.P.No.24199 of 2023

1.Sundhar

2.Anand Vinodh

... Petitioners

Vs.

The State rep. by:-

The Inspector of Police,

Sunguvarchathram Police Station,

Kancheepuram District.

(Crime No.524 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioners / Accused on bail in Crime No.524 of 2023

pending investigation on the file of the respondent Police.

For Petitioners : Mr.E.Kumar for Mr.V.Samba

Murthy

For Respondent : Mr.R.Kishore Kumar

Government Advocate (Crl.Side)

ORDER

The petitioners/A13 & A14, who were arrested and remanded to



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judicial custody on 14.08.2023, registered by the respondent Police for the offence under Sections 147, 148, 302 and 120(b) of IPC and Section 3 of Explosive Substance Act, 1908, in Crime No.524 of 2023, seek bail.

2.The case of the prosecution is that between A4 and the deceased there was a political rivalry and also business rivalry. In view of that particular fact, A4 had engaged contract killers and they murdered the deceased. Sofar as these petitioners are concerned, they are brothers and they are the driver and manager in Endee Infrastructure and Development Private Limited.

3.According to the prosecution, the said company namely Endee Infrastructure and Development Private Limited had supplied materials to M/s.A.D.K. Enterprises, of which, the deceased was the owner. There were differences owing to this particular supply and the said contract was also given to alternate person/company.

4.It is pointed out that this Court had considered the bail application of A12 and had granted bail to him. Sofaras the overt act as against the present petitioners are concerned, they had been implicated on confession and their role were only the driver and the manager of the Endee infrastructure and Development Private Limited.



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5. In view of the particular fact that the petitioners were only the employees of the said Company and the investigation has also been completed, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on condition to execute 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 of the learned Judicial Magistrate, Sriperumbudhur 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 respondent Police on everyday 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



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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].

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

30.10.2023

vkr

To

1. The Judicial Magistrate, Sriperumbudhur.
2. The Inspector of Police,
Sunguvarchathram Police Station,
Kancheepuram District.
3. The Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN, J.

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