



Crl.OP.No.24300 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2023

CORAM

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

Crl.OP.No.24300 of 2023

1.Srinath S/o. Subramani
2.Munisami S/o. Subramani
3.Suman S/o. Subramani

... Petitioners/Accused 3 to 5

Vs.

State by
The Inspector of Police,
Anaicut Police Station,
Vellore.
(Crime No.126 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioners on bail concerned in Crime No.126 of
2023 pending on the file of the respondent police.

For Petitioners : Mr.M.R.Thangavel

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



Crl.OP.No.24300 of 2023

WEB COPY

ORDER

The petitioners are A3 to A5 in Crime No.126 of 2023 registered by the respondent police for the offences punishable under Sections 147, 148, 294(b), 341, 323, 307, 302 & 506(ii) of IPC before this Court seek bail.

2. It is stated that all the petitioners are brothers. The other two brothers are arrayed as A1 and A2 and they were detained under Act 14 of 1982 on 25.08.2023. There was a dispute during Mariamman Temple Festival between the family of the petitioners and family of the deceased, as a result of which, there was quarrel over dancing in front of the procession of the deity. At that time, there was an attack.

3. It is stated that primarily, the 2nd accused had attacked the deceased and the 1st accused has stabbed the deceased on his chest and back with knife.



Crl.OP.No.24300 of 2023

WEB COPY

4. It is however stated that there are no previous case pending against the petitioners herein.

5. Taking into consideration those facts and also taking note of the fact that there is no previous motive, I am 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 separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.V, Vellore, 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 appear before the respondent police everyday at 10.30 a.m., until further orders.



Crl.OP.No.24300 of 2023

[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.

18.10.2023

ata



WEB COPY



Crl.OP.No.24300 of 2023

To

- 1.The Judicial Magistrate No.V, Vellore.
- 2.Central Prison, Vellore.
- 3.The Inspector of Police,
Anaicut Police Station,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

ata



WEB COPY



Crl.OP.No.24300 of 2023

Crl.O.P.No.24300 of 2023

18.10.2023