



WEB COPY



Crl.O.P.No. 24741 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.24741 of 2023

1.Nandhakumar
2.Kirubanandhan
3.Jothi

... Petitioners

Vs.

The State rep. by:-
The Inspector of Police,
Sholingur Police Station,
Sholingur, Ranipet.
(Crime No.281 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioners / Accused on bail in Crime No.281 of 2023
pending investigation on the file of the respondent Police.

For Petitioners : Mr.K.Ashok Kumar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 27.09.2023, registered by the respondent Police for the offence



CrI.O.P.No. 24741 of 2023

under Sections 294(b), 324, 506(ii) and 307 of IPC in Crime No.281 of 2023, seek bail.

2.It is stated that the petitioners 1 and 2 are son of the third petitioner. The injured is the brother of the third petitioner/A3. There was a dispute over land and also dispute over grazing of cattle which escalated into violence leading to registration of the FIR.

3.It is stated by the respondent that the injured had been discharged from the hospital.

4.All these factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioners with certain conditions.

5. 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, Sholingur, 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.



CrI.O.P.No. 24741 of 2023

[b] the petitioners 1 and 2 shall report before the respondent Police everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation and the third petitioner shall report before the respondent Police on every Saturday at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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 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

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Crl.O.P.No. 24741 of 2023

C.V.KARTHIKEYAN, J.

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To

1. The Judicial Magistrate, Sholingur.
2. The Inspector of Police,
Sholingur Police Station,
Sholingur, Ranipet.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.24741 of 2023

30.10.2023