



Crl.O.P.No.25443 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2023

CORAM

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

Crl.O.P.No.25443 of 2023

Elavarasan S/o. Elangovan

... Petitioner/Accused-3

Vs.

State by
The Inspector of Police,
North Police Station,
Tiruppur City.

(Crime No.1406 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.1406 of
2023 on the file of the respondent police.

For Petitioner : Mr.K.Govi Ganesan

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



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ORDER

The petitioner/A3 seeks bail in Crime No.1406 of 2023, registered by the respondent police for the offences punishable under Section 302 of IPC. He had been remanded to judicial custody on 23.08.2023.

2.It is stated that the complaint was lodged in the middle of the night on 22.08.2023, that the defacto complainant was called by one Yasin and it was informed that there was a quarrel between the 1st accused and her husband and later that he had pacify them. Subsequently, all the accused had invited the deceased and had consumed alcohol and later they had committed the offence of murder.

3.It is stated that A1 and A2 were granted bail by this Court in Crl.O.P.No.23678 of 2023 by an order dated 31.10.2023.

4.In view of that particular fact and that the period of incarceration, I am inclined to grant bail to the petitioner subject to the following 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



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of the Judicial Magistrate No.I, Tiruppur, 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 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.

07.11.2023

ata

C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate-I, Tiruppur.
2. The Central Prison, Tiruppur.
3. The Inspector of Police,
North Police Station,
Tiruppur City.
4. The Public Prosecutor,
High Court of Madras.



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