



Crl.O.P.No.25305 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM

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

Crl.O.P.No.25305 of 2023

Srinivasan S/o. Arumugam

... Petitioner/Accused-4

Vs.

State by
The Inspector of Police,
Namakkal Police Station,
Namakkal District.

(Crime No.483 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.483 of
2023 on the file of the respondent police.

For Petitioner : Mr.R.Nalliyappan

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



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ORDER

The petitioner is A4 in Crime No.483 of 2023, registered by the respondent police for the offences punishable under Sections 273, 328, & 304(ii) of IPC. The petitioner had been taken into custody on 18.09.2023.

2. It is stated that the family had gone over to the shop and taken Shawarma Chicken and unfortunately all of them had fallen sick and one young girl died.

3. It is also stated that A1, A2 and A3 had been granted bail. The present petitioner's bail application had been dismissed earlier once. He is the supplier of the said chicken.

4. Taking into consideration the fact that investigation had been completed, I am inclined to grant bail to the petitioner herein 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 of the Judicial Magistrate No.I, Namakkal, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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.

06.11.2023

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C.V.KARTHIKEYAN. J.

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To

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1. The Judicial Magistrate No.I, Namakkal.
2. The Sub-jail, Namakkal.
3. The Inspector of Police,
Namakkal Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

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