



Crl.O.P.No.25510 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2023

CORAM

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

Crl.O.P.No.25510 of 2023

Thiagarajan

...Petitioner

Vs.

State represented by the
The Inspector of Police,
Ammamet Police Station,
Salem District.
(Crime No.156 of 2023)
...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.156 of 2023 on the file of respondent police on such terms and conditions.

For Petitioner : Mr.R.Nalliyappan

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

ORDER

The petitioner seeks bail in Crime No.156 of 2023, registered by the respondent police for the offences punishable under Sections 147,



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120(B), 302 of IPC and subsequently, altered to Sections 120(B), 147, 302, 201 and 212 of IPC. He had been remanded to judicial custody on 08.09.2023.

2.It is the case of the prosecution that A1 had a relationship with the wife of the deceased and since the deceased who was working under A1 refused to work any further, a threat was held out to the deceased. A2/the present petitioner had also threatened the deceased. In turn, the deceased has been detained under Act 14 of 1982 and after he had been released, they all organized a party in which, all the accused had committed the murder against the deceased.

3.The learned counsel for the petitioner stated that A1 had been granted bail by the learned Principal Sessions Judge, Salem, on 09.10.2023. It is also stated that the other accused had also been granted bail but under Section 167(2) Cr.P.C

4.On the side of the respondent, it is stated that the investigation has been practically completed and charge sheet would be filed.

5.Taking all the factors into consideration, this Court is inclined to grant bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail on his executing 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.V, Salem, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioner shall report before the respondent Police, daily 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.

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C.V.KARTHIKEYAN. J.

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To

1. The Judicial Magistrate No.V, Salem.
2. The Central Jail, Salem.
3. The Inspector of Police,
Ammapet Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.

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