



WEB COPY



Crl.O.P.No. 25914 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2023

CORAM

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

Crl.O.P.No.25914 of 2023

V.Pradap @ Simbu @ V.Pradap Kumar

...
Petitioner

Vs.

The State rep by
The Inspector of Police,
Latheri Police Station,
Vellore District.
Crime No.152 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner / Accused on bail in Crime No.152 2023
pending on the file of the respondent Police.

For Petitioner : Mr.B.Sundarapandiyan

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

ORDER

The petitioner/A2, who was arrested and remanded to judicial
custody on 12.09.2023 for the offences under Sections 147, 148 and 302 of



CrI.O.P.No. 25914 of 2023

IPC, in Crime No.152 of 2023, seeks bail.

2.It is stated that as between the defacto complainant and A1, there was a previous enmity owing to dispute arising over bullock cart race. The shop owner/Sathish had informed the defacto complainant that all the accused were behind the shop and also that the deceased had joined them. Later, he was found dead.

3.It is stated by the learned Government Advocate that A3 to A5 are juveniles and they had been granted bail. He also stated that there is no previous case against the petitioner.

4.Taking into consideration that there is no previous case against the petitioner and the entire issue arose out of previous quarrel between the deceased and A1, this Court is inclined to grant bail to the petitioner with certain 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 learned Judicial Magistrate, Katpadi, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may



CrI.O.P.No. 25914 of 2023

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.

15.11.2023

vkrr

To

1. The Judicial Magistrate, Katpadi.

2. The Inspector of Police,



CrI.O.P.No. 25914 of 2023

Latheri Police Station,
Vellore District.

C.V.KARTHIKEYAN, J.

vkrr

3. The Central Jail, Vellore.

4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.25914 of 2023

15.11.2023