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Crl.O.P.No.26759 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

CORAM

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

Crl.O.P.No.26759 of 2023

1.Manikandan
S/o.Ramesh
2.Sathish @ Gilli Sathish
S/o.Needhi
3.Kamalakaran @ Baba,
S/o.Karunakaran
Nos.13,15,17
...Petitioners/Accused
Vs.

The State rep. by
The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.

(Crime No.977 of 2023) ...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in the above Crime No.977 of
2023 on the file of the Respondent on such terms and conditions.

For Petitioners : Mr.B.Shakthivel

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



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CrI.O.P.No.26759 of 2023

ORDER

The petitioners A12, A11 and A14 seek bail in Crime No.977 of 2023, registered by the respondent police for the offences punishable under Sections 120(B), 302 of IPC and Section 3 of Indian Explosive Substances Act, 1908 @ 120(B), 147, 148, 341, 302 & 201 of IPC r/w Section 3 of Indian Explosive Substance Act, 1908.

2.The 1st petitioner/A12 had been remanded to judicial custody on 14.09.2023, the 2nd petitioner/A11 had been taken into custody on 13.09.2023 and the 3rd petitioner/A14 had been taken into custody on 05.09.2023.

3.It is the case of the prosecution that the deceased was proceeding towards Perumbakkam to Mevalurkuppam junction in an auto on 05.09.2023, and a car had intercepted and those who were standing in the car had assaulted the deceased and had also thrown a country bomb. However, some of the accused have already been granted bail by this Court.

4.It is thus seen that there is a substantial progress in the



CrI.O.P.No.26759 of 2023

investigation. So far as the 1st petitioner and the 3rd petitioners are concerned, there are no previous cases as against them and as against the 2nd petitioner is concerned, there is one previous case is pending under Section 397 of IPC.

5.Taking all the factors into consideration, I am inclined to grant bail to the petitioners subject to the following conditions:

6.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sriperumbudur 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 petitioners 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 petitioners shall not tamper with evidence or witness either



CrI.O.P.No.26759 of 2023

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.

27.11.2023

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To

1. The Judicial Magistrate, Sriperumbudur.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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