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Crl.O.P.No. 26326 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

CORAM

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

Crl.O.P.No.26326 of 2023

1.Deepak

2.Ragul @ Sri Ragul

... Petitioners

Vs.

The State rep. by:-

The Inspector of Police,

Jedarpalayam Police Station,

Namakkal District.

(Crime No. 33 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioners / Accused on bail pending investigation in
Crime No.33 of 2023 on the file of the respondent.

For Petitioners : Mr.W.Camyles Gandhi

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

ORDER

The petitioners who were arrested and remanded to judicial
custody on 13.10.2023 registered by the respondent Police for the offences



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under Sections 436, 511 of IPC @ Sections 436 and 511 of IPC r/w Section 3 of Explosive Substances Act, 1908, in Crime No.33 of 2023, seek bail.

2.It is stated that owing to the rape and murder of a teenage girl, the entire village had arisen against those who have said to be accused in that particular case and had caused devastation to farm land by cutting away practically every tree which was available. The defacto complainant is the father of the second petitioner herein.

3.It is stated that yet another First Information Report had been registered in Crime No. 32 of 2023 in which all the accused had been granted bail. It is stated that several First Information Reports have been lodged on the same fact.

4.However, taking into consideration all the facts, this Court is inclined to grant bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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, Paramathi and on further conditions that:

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



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may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 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.

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C.V.KARTHIKEYAN, J.

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To

1. The Judicial Magistrate, Paramathi.
2. The Central Prison, Salem.
3. The Sub Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.

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