



Crl.O.P.No.26784 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

Crl.O.P.No.26784 of 2023

1.Jeevan S/o.Saravanan.
2.Baba @ Kamalakannan S/o.Karunakaran
3.Bharath @ Bharathraj S/o.Rajendran ...Petitioners/Accused

Vs.

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 pending investigation in Crime No.977 of 2023 on the file of Respondent police, on such terms and conditions.

For Petitioners : Mr.M.D.Ilayaraja

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



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ORDER

The petitioners/A15, A11 & A8 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 r/w Section 3 of Explosive Substance Act, and subsequently altered into Sections 120(B), 147, 148, 341, 302, 201 of IPC r/w Section 3 of Indian Explosive Substance Act, 1908.

2.The first petitioner had been remanded to custody on 19.09.2023, the second petitioner had been remanded to custody on 25.09.2023 and the third petitioner had been remanded to custody on 13.09.2023.

3.The learned counsel for the petitioners stated that the petitioners were not in the scene of occurrence but however, the said fact is disputed by the learned Government Advocate (Crl. Side) for the respondent.

4.The brief facts of the case are that the deceased was involved in a



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murder of one Stephen. Later, when he proceeded from Perambakkam to Mevalurkuppam junction in an auto, a car came and hit the said auto and when the deceased try to ran away, a bomb was thrown and he subsequently died. The other accused had been granted bail after considering the fact of period of detention.

5.Taking into consideration the period of detention and the fact that investigation is practically over, 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 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



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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.

24.11.2023

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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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