



CrI.O.P.No.27105 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

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

CrI.O.P.No.27105 of 2023

Naresh @ Nareshkumar S/o. Arumugam

...Petitioner/Accused-1

Vs.

The State rep. by
The Inspector of Police,
Latheri Police Station,
Vellore District.

(Crime No.152 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.152 of 2023 on the
file of the respondent police on such terms and conditions.

For Petitioner : Mr.M.Jayamurugan

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



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ORDER

The petitioner is A1 in Crime No.152 of 2023, registered by the respondent police for the offences punishable under Sections 147, 148 & 302 of IPC, seeks bail. The petitioner had been taken into custody on 12.09.2023.

2.It is stated that as between the defacto complainant and the 1st accused, 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 (Crl. Side) for the respondent 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, I am inclined to grant bail to the petitioner with certain conditions:

5.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)**



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with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Kadpadi, 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 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.

29.11.2023

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C.V.KARTHIKEYAN. J.



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To

1. The Judicial Magistrate Court, Kadpadi.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Latheri Police Station,
Vellore District.
4. The Public Prosecutor,
High Court of Madras.

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