



Crl.O.P.Nos.27750 and 27753 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

Crl.O.P.Nos.27750 and 27753 of 2023

1.Santhosh
2.Rajaganapathy
3.Gandhi
4.Raj
5.Ramasamy
6.Dhanajeyan

...Petitioners/A11,12,13,15,16,17

in Crl.O.P.No.27750 of 2023

1.Sanjay
2.Mahadevan
3.Hariharan,S/o.Narbavi
4.Hariharan,S/o.Sivakumar
5.Bhuvaneshwaran
6.Shakthivel

...Petitioners/A2,3,5,6,7,8
in Crl.O.P.No.27753 of 2023

Vs.

The State Rep.by its
Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
(F.I.R.No.279 of 2023)
cases

...Respondent in both



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PRAYER:

Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in Crime No.279 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioners : Mr.P.Vijendran in both cases

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

COMMON ORDER

The petitioners in both cases seeks bail in Crime No.279 of 2023, registered by the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 352, 506(ii) and 302 of I.P.C.

2.It is stated that on 12.11.2023 Diwali day, all the accused persons had taken Alcohol. The de-facto complainant and even the deceased had taken alcohol. During that particular period of time, there was a quarrel among all of them which led to violence and ultimately exalted to assault and murder of the deceased. It is stated there are no previous cases pending against the petitioners. It is also stated a counter complaint had been given which had been registered as Crime No.280 of



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2023.

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3.Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are 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 District and Sessions Judge, Nagapattinam, and on further conditions that: -

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



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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.

11.12.2023

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To

1. The District and Sessions Judge, Nagapattinam.
2. The Central Prison, Trichy.
3. The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN,J.,

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