



Crl.O.P.No.27960 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.O.P.No.27960 of 2023

1.Boopalan S/o. Chandrasekar
2.Prabakaran S/o. Palanisamy

...Petitioners/Accused

Vs.

State by
The Inspector of Police,
Namagiripettai Police Station,
Namakkal Dstrict.

(Crime No.230 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.230 of 2023 on the file of respondent police on such terms and conditions.

For Petitioners : Mr.A.S.Prabu

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



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ORDER

The petitioners/A1 and A2 seek bail in Crime No.230 of 2023, originally registered by the respondent police for the offence under Section 174 Cr.P.C., and subsequently altered to Section 306 of IPC.

2.The defacto complainant is the wife of the deceased. It is stated that the deceased was doing centring work in a construction place. He had borrowed money from the accused persons. On 21.09.2023, it is stated that the accused persons demanded money from the deceased and since he did not repay, they took away all the centring materials. Frustrated with that and stating that he had suffered loss at his business, he had also sent a message through Whatsapp to his friend and committed suicide.

3.It is stated that the petitioners have been in custody from 23.09.2023.



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4.Taking into consideration the fact that investigation has been practically completed and all other factors, I am inclined to grant bail to the petitioner subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on bail on his 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, Rasipuram, 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 petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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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To

1. The Judicial Magistrate, Rasipuram.
2. The Central Jail, Salem.
3. The Inspector of Police,
Namagiripettai Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.

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