



Crl.O.P.No.28628 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

Crl.O.P.No.28628 of 2023

T.Selvam

... Petitioner/Accused-1

Vs.

State by
The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.

(Crime No.279 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioner on bail concerned in Crime No.279 of
2023 on the file of the respondent.

For Petitioner : Mr.T.Elumalai

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



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ORDER

The petitioner/A1 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 IPC. The petitioner had been taken into custody on 13.11.2023.

2.It is stated that on 12.11.2023 on a Diwali day, all the accused persons had taken alcohol. The defacto 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 that there are no previous cases pending against the petitioner. It is also stated that a counter complaint had been given which had been registered as Crime No.280 of 2023.

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

4.Accordingly, the petitioner is ordered to be released on bail on



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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 **Judicial Magistrate, Keelvelur**, 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 petitioner shall report before the 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.

22.12.2023

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C.V.KARTHIKEYAN. J.



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To



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1. The Judicial Magistrate, Keelvelur.
2. The Central Jail, Trichy.
3. The Inspector of Police,
Keelaiyur Police Station,
Nagapattinam District.
4. The Public Prosecutor,
High Court of Madras.

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