



CrI.O.P.No.1199 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

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

CrI.O.P.No.1199 of 2024

Venkatachalam S/o. Appasmi

...Petitioner/Accused-1

Vs.

State represented by
The Inspector of Police,
Alangayam Police Station,
Thirupathur District.

(Crime No.194 of 2022)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail concerned in Crime No.194 of
2022 on the file of the respondent police on such terms and conditions.

For Petitioner : Ms.Thulasi.R.

For Respondent : Mr.L.Baskaran
Government Advocate (CrI. Side)



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ORDER

The petitioner/A1 in Crime No.194 of 2022, registered by the respondent police for the offences under Sections 147, 148, 341 & 302 of IPC @ 147, 148, 149, 341, 302 IPC r/w 109 of IPC, seeks bail. The petitioner had been remanded to custody on 26.12.2023.

2.It is stated that the petitioner is A1. A2 to A8 had been either granted bail or granted anticipatory bail.

3.It is the case of the prosecution that there was a civil dispute between the petitioner and the deceased and a civil suit is also filed. There was further dispute with respect to cultivation of land by a Tractor and it is stated that the accused had originally scolded the deceased and beaten him for which he was admitted to the Government Hospital at Vaniyambadi and thereafter, the deceased and his brother proceeding to their land, it is stated that the accused again tried to attack him and finally, he died on the spot.



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4.It is stated by the learned Government Advocate (Crl. Side) for the respondent that investigation has been completed and charge sheet would be filed very shortly before the jurisdictional Court.

5.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:

6.Accordingly, the petitioner is 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 Judicial Magistrate No.III, Thirupathur, 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.



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[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.

23.01.2024

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To

1. The Judicial Magistrate No.III, Thirupathur.
2. The Central Prison, Vellore.
- 3.The Inspector of Police,
Alangayam Police Station,
Thirupathur District.
- 4.The Public Prosecutor,
High Court of Madras.



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C.V.KARTHIKEYAN. J.
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