



Crl.O.P.No.2624 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2024

CORAM

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

Crl.O.P.No.2624 of 2024

1.Govindasamy
2.Thirupathi

...Petitioners/Accused 1 & 2

Vs.

State represented by
The Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.

(Crime No.356 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.356 of
2023 on the file of the respondent on such terms and conditions.

For Petitioners : Mr.J.Bharathiraja

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

ORDER



CrI.O.P.No.2624 of 2024

WEB COPY

The petitioners/A1 and A2 in Crime No.356 of 2023, registered by the respondent police for the offences under Sections 302 and 201 of IPC, seek bail. They had been remanded to judicial custody on 19.12.2023.

2.It is stated that A1, who is aged 78 years is the father of the deceased and A2 is the brother-in-law of the deceased. It is stated that the deceased was addicted to alcohol, consequent to which, his wife had got divorce and left out from the marital house. The deceased was mentally disturbed and used to pester the 1st accused for money. There were quarrels and one such quarrel was escalated into violence and leading to unfortunate death of the 1st accused.

3.Taking into consideration 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 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 II, Dharmapuri, and on further conditions that: -



Crl.O.P.No.2624 of 2024

WEB COPY

[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 respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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 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.

08.02.2024

ata

C.V.KARTHIKEYAN. J.

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To



Crl.O.P.No.2624 of 2024

WEB COPY

1. The Judicial Magistrate II, Dharmapuri.

2. The Central Jail, Salem.

3. The Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.2624 of 2024

08.02.2024