



Crl.O.P.Nos.4541 & 4543 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2024

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

Crl.O.P.Nos.4541 & 4543 of 2024

Nagoor Adbulla ...Petitioner in Crl.O.P.No.4541 of 2024

Kumaresan ...Petitioner in Crl.O.P.No.4543 of 2024

Vs.

State represented by
The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.
Crime No.25 of 2024

...Respondent in both Crl.O.Ps

COMMON PRAYER: Criminal Original Petitions are filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.25 of 2024 on the file of the respondent Police.

For petitioners : Mr.S.Kingston Jerold

For Respondent : Mr.L.Baskaran
Government Advocate (crl.side)



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COMMON ORDER

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The petitioners who were remanded to judicial custody on 16.01.2024 for the offences registered by the respondent Police under Sections 294(b), 323, 307 and subsequently altered to Section 302 IPC, in Crime No.25 of 2024 seek bail.

2.The petitioner in Crl.O.P.No.4541 of 2024 is arrayed as A2 and the petitioner in Crl.O.P.No.4543 of 2024 is arrayed as A1.

3.It is stated that the deceased and A1 were neighbours. The deceased had approached the mother of A1 for ambrose relationship and this was protested by A1 and in a tasmac shop, the quarrel escalated into violence. Initially, the deceased was sustained injuries and admitted in the hospital, but later, died.

4.A status report had also been filed by the respondent, in which, it had been stated that during the course of investigation, they had examined 8 witnesses. They had also contested inquest and also collected CCTV footage at the scene of occurrence and had forwarded the same to forensic science laboratory for analysis.

5.It is thus seen that the investigation is proceeded to a substantial



extent.

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6. Taking that particular factor into consideration and the period of incarceration into consideration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail on executing a 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 No.IV, Tiruppur, 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



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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.

07.03.2024

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To

1. The Judicial Magistrate No.IV, Tiruppur.
2. The District Prison, Tiruppur.
3. The Inspector of Police,
Veerapandi Police Station,
Tiruppur District.
4. The Public Prosecutor, High Court of Madras.

C.V.KARTHIKEYAN. J.

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