



Crl.O.P.No.4644 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

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

Crl.O.P.No.4644 of 2024

S.Sarath Kumar

...petitioner

Vs.

State represented by
The Inspector of Police,
E1 Ponneri Police Station,
Tiruvallur District.
Crime No.819 of 2023

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.819 of 2023 on the file of the respondent Police.

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

ORDER

The petitioner/A4 who was arrested and remanded to judicial custody on 14.12.2023 for the offences registered by the respondent



Crl.O.P.No.4644 of 2024

Police under Sections 120B and 302 of IPC, in Crime No.819 of 2023, seeks bail.

2.A1 is said to have illicit intimacy with the deceased. Simultaneously, he appears to have developed the relationship with A2. This naturally led to disputes and the deceased was the victim who had been murdered on 13.12.2023 by the accused.

3.It is stated that A1 to A3 had been granted bail. A5 is a juvenile.

4.Taking all the factors into consideration and also of the fact that the investigation has been completed and only awaits the lab report to file the final report, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on executing a 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 learned Judicial Magistrate No.I, Ponneri 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



Crl.O.P.No.4644 of 2024

Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, everyday at 10.30 am., 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.

08.03.2024

vkrr



WEB COPY



Crl.O.P.No.4644 of 2024

C.V.KARTHIKEYAN. J.

vkf

To

1. The Judicial Magistrate No.I, Ponneri.
2. The Central Prison, Puzhal.
3. The Inspector of Police,
E1 Ponneri Police Station,
Tiruvallur District.
- 4.The Public Prosecutor, High Court of Madras.

Crl.O.P.No.4644 of 2024

08.03.2024