



Crl.O.P.No.5154 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

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

Crl.O.P.No.5154 of 2024

Balaji Saravanan

..Petitioner

Vs.

State represented by
The Inspector of Police,
Nallur Police Station,
Tiruppur District.
(Crime No.507 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.507 of 2023 on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi
For Respondent : Mr.L.Baskaran
Govt. Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.06.2023 for the offences registered by the respondent Police under Sections 147, 148, 302 IPC, in Crime No.507 of 2023 on the file of the



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respondent, seeks bail.

2.After investigation, the final report had been filed and the same had been taken cognizance as S.C.No.296 of 2023 before the learned Principal District Judge, Tiruppur.

3.It is stated that the petitioner had been earlier detained under Act 14 of 1982 and thereafter, the order of detention was quashed by this Court.

4.It is the case of the prosecution that the deceased was doing painting working and previously was an auto driver and had an enmity with A1 to A6 and owing to such enmity and motive, had attacked the accused during the Court hearing date in Tiruppur on 16.06.2023. It is the further case of the prosecution that on 17.06.2023, the deceased sold the defacto complainant that he would going to meet the accused at Chandrapuram and thereafter, he was found dead.

5.The learned Government Advocate (crl.side) stated that the investigation has been completed and final report had been filed. Except A1, A6 and this petitioner, all the other accused have been granted bail. Nonailable Warrant is still pending against A8 from 15.03.2023. He further stated that there are four previous cases against the petitioner.



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6.Taking into consideration all the factors and the period of incarceration and also of the fact that the investigation has been completed, this Court is inclined to grant bail to the petitioner subject to the following conditions:

7.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 **learned 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 learned Principal District Judge, Tiruppur, on every Monday at 10.30 a.m., apart from the Court hearing dates, till completion of the trial.

[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



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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.

25.03.2024

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To

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

C.V.KARTHIKEYAN. J.

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