



Crl.O.P.No.6032 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

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

Crl.O.P.No.6032 of 2024

Janakiraman

... Petitioner

Vs.

State represented by
The Inspector of Police,
Brammadesam Police Station,
Villupuram District
(Crime No.115 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.115 of 2024 on the file
of the respondent.

For Petitioner : Mr.R. Naresh Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 11.02.2024, for the offences registered under Sections 294(b), 341, 109,
195A,506(2) of I.P.C, in Crime No.115 of 2024 on the file of the respondent



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Police, seeks bail.

2. The case of the prosecution is that in the year 2018 the elder brother of the defacto complainant was murdered owing to money dispute. In that case the defacto complainant had lodged a complaint in F.I.R.No.378 of 2018. After investigation it is now pending trial in Spl.Sc.No.20 of 2019 before the Special Court for Exclusive Trial of Cases at Villupuram . The defacto complainant is a witnesses in that particular case. It is stated that all the accused had threatened the defacto complainant not to let evidence. A report was sought from the learned Judge, Special Court for Exclusive Trial of Cases at Villupuram and it is now informed that PW.1 to P.W.3 had appeared before the Court for letting evidences.

3. The learned Government Advocate appearing for the respondent stated that investigation was completed.

4. Taking into consideration the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:



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5. 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.II, Tindivanam, Villupuram District** 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



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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.

27.03.2024

smn

To

- 1.The **Judicial Magistrate No.II, Tindivanam, Villupuram District**
2. The Inspector of Police,
Brammadesam Police Station,
Villupuram District
- 3.The Sub Jail in Tindivanam, Villupuram District
4. The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN, J.

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