



Crl.O.P.No.9307 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

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

Crl.O.P.No.9307 of 2024

Madhan

...Petitioner/A6

Vs.

State represented by
The Inspector of Police,
Nolambur Police Station,
Thiruvallur District.
(Crime No.201 of 2023)

...Respondent/Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.201 of 2023 on the
file of the respondent police.

For Petitioner : Mr.S.Ramajayam

For Respondent : Mr.V.J.Priyadarsana
Govt. Advocate (Crl. Side)



Crl.O.P.No.9307 of 2024

WEB COPY

ORDER

The petitioner / A6, who was arrested and remanded to judicial custody on 16.02.2024 for the offence punishable under Sections 294(b), 120(B), 451, 216, 149 and 302 of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002 in Crime No.201 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner is the owner of a car bearing Registration No.PY 01 CY 2508. This car was used by the other accused who were travelling in the same car and got down and murdered the deceased in front of the defacto complainant, wife of the deceased. It is stated that there were two seperate reasons for the said murder. The first one was political rivalry and the second one was community rivalry. It is also stated that the deceased had earlier murdered one of the person belonging to the accused group and in order to take revenge the accused persons had murdered the deceased.



Crl.O.P.No.9307 of 2024

WEB COPY

3. The learned counsel for the petitioner stated that nine days prior to the occurrence, the petitioner had serviced the car tyres and he did not know anything about the other activities. It is stated that he belongs to Pondicherry State and he did not know anything about the murder. However, the petitioner had lent his car to those who had committed murder.

4. The learned Government Advocate appearing for the respondent submitted that charge sheet has been filed and investigation has been completed and the matter is now pending in P.R.C.No.8 of 2023. He further submitted that A1 is still absconding and is in Malaysia.

5. The earlier petition seeking bail was dismissed on 27.03.2024 in Crl.O.P.No.7087 of 2024. It is also stated that all the other accused had been arrested and had been granted bail.



CrI.O.P.No.9307 of 2024

WEB COPY

6.Taking that factor into consideration and also considering the period of incarceration suffered by the petitioner, I am 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, Ambattur, 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 daily 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.



Crl.O.P.No.9307 of 2024

[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.

23.04.2024

smv

To

1. The Judicial Magistrate, Ambattur.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
Nolambur Police Station,
Thiruvallur District.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.9307 of 2024

C.V.KARTHIKEYAN. J.

smv

Crl.O.P.No.9307 of 2024

23.04.2024