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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.11314 of 2024

1.D.Karthik
2.K.Aravindhan

... Petitioners

Vs.

State Rep by.
The Inspector of Police
T6, Peernkkaranai Police Station,
Crime No. 41 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in crime No.
41 of 2024 on the file of The Inspector of Police, T6, Peernkkaranai Police
Station,

For Petitioner : Mr.S.Elumalai
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.02.2024 and 01.02.2024 respectively for the alleged offences punishable under Sections 302 @ 147, 148, 341, 302 IPC and 120 B of IPC **in crime No. 41 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that due to previous enmity between the deceased Jeeva and the other accused Ajith's family regarding the lover affairs of Jeeva with one Nadhiya/sister of Ajith, the accused persons murdered the Jeeva. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and the petitioner were not involved in the said offence as alleged by the prosecution. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl Side) submits that totally 7 accused involved in this case in which the petitioners are arrayed as



A4 and A5.. He, prays to dismiss this petition.

5. Considering the period of incarceration undergone by the petitioners and also the investigation is almost completed and also there is no previous case pending against the petitioner. Further, the final report has been filed. Hence, this Court is inclined to grant bail to the petitioners with the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate Court - I, Tambaram**, 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;



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[b] the petitioners shall stay report before the respondent police daily at 10.30 a.m., for a period of three months.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

03.06.2024

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate Court - I, Tambaram.**
2. The Inspector of Police
T6, Peernkkaranai Police Station,
3. The Puzhal Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.11314 of 2024

03.06.2024