



Crl.O.P.No.11158 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11158 of 2024

Vinay Kumar

...Petitioner

Vs.

The Inspector of Police,
Perumanallur Police Station,
Thiruppur District
(Crime No.387 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.387 of 2023 on the file of the respondent Police.

For petitioner : Mr. C.D.Sugumar

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner in S.C.No.63 of 2024, now pending before the



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Sessions Judge, Mahalir Neethimandram, (FTMC), Tiruppur seeks bail for the offences registered by the respondent police under Sections 302 of I.P.C in Crime No. 387 of 2023.

2.The case of the prosecution is that the Village Administrative Officer of the Eettiveerampalayam Village had lodged a complaint regarding a dead body of a women lying on the ground of Vari Porampoke opposite Rakkiyaatti grave yard. The petitioner has involved in the said offence, due to which he was implicated in this case.

3.The learned Government Advocate (crl.side) stated that there is no previous case against the petitioner. He further submitted that the investigation has been completed and the same was taken on file before the Mahila Court.

4.Taking all the factors into consideration and the period of incarceration and also of the fact that there is no previous case against the petitioner and that the investigation has been completed and the same was taken on file, this Court is 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 executing a 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 Sessions Judge, Mahalir Neethimandram (FTMC) 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 Mahalir Neethimandram (FTMC), Tiruppur on every Thursday and Monday at 10.30 a.m., till completion of trial, apart from the Court hearing dates.

[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



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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.

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To

1. The Sessions Judge, Mahalir Neethimandram (FTMC), Tiruppur.
2. The Inspector of Police,
Perumanallur Police Station,
Thiruppur District.
3. The Central Prison, Coimbatore.
- 3.The Public Prosecutor, High Court of Madras.



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