



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

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

Crl.O.P.No.12059 of 2024

Dhushyanth

... Petitioner

Vs.

State Rep by.
The Inspector of Police
Ennore Police Station,
Chennai. Crime No. 230 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.
230 of 2024 on the file of the respondent police.

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

ORDER



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The petitioner, who was arrested and remanded to judicial custody on 22.03.2024 for the alleged offences punishable under Sections 147, 148, 294(b), 302 IPC and 120 b of IPC **in crime No. 230 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that due to love affair between Paulraj and Ranjani there was a enmity arose between their families members. Subsequently, first accused/Brother of Ranjani took Paulraj in a two wheeler, made him to consume alcohol at that time the first accused murdered the Paulraj. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the petitioner was not involved in the said offence as alleged by the prosecution. The petitioner is the friend of A1 expect that there is no other role in the crime. Hence, he prays to allow this petition.

4. The learned Government Advocate (Crl Side) submits that totally 5 accused involved in this case and the petitioner is arrayed as A5.

Further, he stated that at the time of the alleged occurrence the petitioner



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holding the deceased. Hence, he prays to dismiss this petition.

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

6. Accordingly, the petitioner is 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, Thiruvottiyur**, 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 stay at **Dharmapuri** and report before the **Town Police Station**,



Dharmapuri daily at 10.30 a.m., for a period of three months.

[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 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, Thiruvottiyur.**
2. The Inspector of Police
Ennore Police Station,
Chennai.

3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.12059 of 2024

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