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CrI.O.P.No.12761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

CrI.O.P.No.12761 of 2024

Vignesh @ Vikki

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Vellore North Law & Order Police Station
Vellore Taluk & District
(Crime No.466 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.466 of 2023 on the file
of the respondent.

For Petitioner : Mr.S.Silambuselvan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)

ORDER

The petitioner was arrested and remanded to judicial custody on
12.12.2023 for the offences under Sections 302, 201, 147, 148, 120B & 149
of IPC in Crime No.466 of 2023 on the file of the respondent Police, seeks



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bail.

2. The case of the prosecution is that on receipt of information from the defacto complainant it was found a dead body was abducted in a blanket and tied to a stone in the water of the fort moat and immersed into the Agzhi Water of Vellore Fort. After investigation, the petitioner was arrested and remanded to judicial custody on 12.12.2023. The petitioner is arrayed as A2.

3.The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, seeks bail.

4.The learned Government Advocate (Crl.Side) submits that investigation is already over and the chargesheet has been filed and he opposed the bail mainly on the ground that the petitioner is involved in a serious offence.

5. Having regard to the nature of allegations made against the petitioner and of the fact that the co-accused A3 to A6 are released on bail



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and also considering the period of incarceration, filing of charge sheet etc., I am inclined to grant bail to the petitioner subject to conditions.

6. 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.IV at Vellore 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 not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.



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S. SOUNTHAR,J.

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To

- 1.The Judicial Magistrate No.IV, Vellore
- 2.The Inspector of Police,
Vellore North Law & Order Police Station
Vellore Taluk & District
- 3.The Central Prison, Vellore
4. The Public Prosecutor, High Court of Madras.

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