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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

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

CrI.O.P.No.17917 of 2024

M.Shanthakumar

... Petitioner

Vs.

State Rep by.
The Inspector of Police,
T-3, Chitlapakkam Police Station,
Chennai.
Crime No. 154 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.
154 of 2024 on the file of the respondent police.

For Petitioner : Mr.T.S.N.Prabhakaran

For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (CrI. side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.05.2024 for the alleged offences punishable under Sections **341, 294(b), 307, 506(ii) IPC @ 302 IPC crime No. 154 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that on 12.05.2024, when the defacto complainant's son was speaking with his friend at Camp road, the petitioner along with others assaulted him with knife, thereby he sustained injuries and subsequently died. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and also the offence was committed by only two persons he is no way connected with this case. Further, the petitioner is aged about 19 years and also studying 1st year BCA and also he was not present the scene of occurrence. Hence, he prays to allow this petition.

4. On the other side, the learned Government Advocate (Crl. side) submits the petitioner is arrayed as A3, he along with other accused have



involved in committing offence of murder of deceased complainant's son and he accompanied with them by giving his motor cycle. Further, he stated that final report has been filed. However, he raised objection to grant bail.

5. Considering the facts and circumstances of the case, the petitioner is aged about 19 years and also the respondent police filed the final report. Hence, this Court is inclined to grant bail to the petitioner.

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 - II, 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;



[b] the petitioner shall report before the respondent police daily at 06.00 p.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;

[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.

7. On seeing the nature of death of the deceased, this Court recommends the Chairman, District Legal Services Authority, Chennai, is hereby directed to pass appropriate orders to the District Collector, Chennai for disbursing the compensation amount of Rs.75,000/- each (Rupees Seventy Five Thousand Only) to the deceased



parents as interim compensation in the manner known to law within a period of 6 weeks from the date of receipt of copy of this order

29.07.2024

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate - II, Tambaram**
2. The Inspector of Police,
T-3, Chitlapakkam Police Station,
Chennai.
3. The Central Prison, Puzhal.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.17917 of 2024

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