



Crl.O.P.No.23815 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.23815 of 2024

1.Manikandan

2.Mohanraj

3.Kuralventhan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Oragadam Police Station,
Kancheepuram District.
(Crime No. 502 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleased to enlarge the petitioner on bail, in Crime No.502 of 2024 on the file
of the respondent Police.

For Petitioners : Mr.R.Sasikumar

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

ORDER



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The petitioners/A1 to A3, who were arrested and remanded to judicial custody on 02.08.2024, for the alleged offence punishable under Sections 126(2), 296(b), 118(1), 103(1) and 351(3) of BNS, in Crime No.502 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 11.05.2024 at about 8.45 a.m., when the deceased was driving his company's Eicher Courier Lorry bearing Reg.No.TN 32 V 9131 at Oragadam junction, the petitioners herein chased and waylaid the deceased lorry, due to which, there was a wordy quarrel between the petitioners and the deceased, for which, the petitioners abused him, assaulted him with a wooden log, causing grievous injuries, admitted in the hospital, later he died. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that this is the second bail petition filed by the petitioners. He further submits that the petitioners are innocent persons and they have been falsely implicated in this case. He further submit that there was a wordy quarrel between the petitioners and the deceased regarding the driving of vehicles on the road and ended in a scuffle. He would further submit that the petitioners were



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arrested and are in judicial custody for more than 50 days and are ready to abide by any conditions that may be imposed by this Court. Hence, he prayed bail for the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that on the date of the alleged occurrence, when the deceased was driving his company's Eicher Courier Lorry bearing Reg.No.TN 32 V 9131 at Oragadam junction, the petitioners chased him and waylaid the deceased lorry, due to which, there was a wordy quarrel between the petitioners and the deceased, for which, the petitioners assaulted him with a wooden log, causing grievous injuries to him, he was admitted to the hospital and later he died. He further submits that the investigation was completed and the charge sheet was also filed. He further submits that the petitioners have no previous case pending against them. However, he opposed to grant bail to the petitioners.

5. Heard both sides and perused the materials available on record including the First Information Report.



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6. Considering the submissions on both sides, nature of offence, investigation was completed and charge sheet was also filed and the petitioners have no previous case pending against them, and considering the period of incarceration undergone by the petitioners, and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, for a like sum to the satisfaction of the Judicial Magistrate, Sriperumbudur, and on further conditions that:-

[a] the petitioners shall report before the concerned Jurisdictional Magistrate on all working days at 10.30 a.m., until further orders.

[b] the Petitioners shall not commit any offences of similar to the offence of which he is accused, or suspected, or of the commission of which he is suspected;

[c] the Petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any



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police officer;

[d] the Petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Judicial 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 petitioners 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]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

26.09.2024

drl

To

- 1.The Judicial Magistrate,
Sriperumbudur.
- 2.The Inspector of Police,
Oragadam Police Station,
Kancheepuram District.
- 3.The Superintendent,
Central Prison, Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

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