



Crl.O.P.No.24482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

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

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1.Babu @ Sarathbabu

2.Vignesh

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
D-3 Ice House Police Station,
Chennai.
(Crime No. 19 of 2024).

... Respondent

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S.,
pleaded to enlarge the petitioners on bail, in Crime No. 19 of 2024 on the file
of the respondent Police.

For Petitioners : Mr.M.Senthilkumar

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

ORDER

The petitioners/A3 and A4, who were arrested and remanded to



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judicial custody on 15.01.2024, for the alleged offence punishable under Sections 120(B), 449, 302 r/w 109 of IPC, in Crime No.19 of 2024, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 13.01.2024, at about 3.30 p.m., due to previous enmity, the petitioners along with other accused persons attacked the husband of the defacto complainant with a knife and murdered him. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and due to previous enmity, they have been falsely implicated in this case. They have not committed any offence as alleged in the FIR. He further submitted that the petitioners were arrested and they are in judicial custody from 15.01.2024 and they 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 there are totally six accused in this case and



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the petitioners herein are arrayed as A3 and A4. He further submits that on the date of the alleged occurrence, due to previous enmity, the petitioners along with other accused persons attacked the husband of the defacto complainant with a knife and murdered him. He further submits that the petitioners have no previous cases, pending against them. He further submits that the investigation was completed and the charge was also filed in P.R.C.No.44 of 2024. 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.

6. Considering the nature of offence, and the petitioners have no previous case pending against them, and the investigation was completed and the charge sheet was also filed, considering the period of incarceration undergone by the petitioners from 15.01.2024, and also considering all others factors, I am inclined to grant bail to the petitioners, subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on



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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 II Metropolitan Magistrate, Egmore, Chennai, and on further conditions that:-

[a] the petitioners shall report before the concerned Jurisdictional Magistrate on all working day 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 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



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

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drl

To

- 1.The II Metropolitan Magistrate,
Egmore, Chennai.
- 2.The Inspector of Police,
D-3 Ice House Police Station,
Chennai.
- 3.The Superintendent,
Central Prison, Vellore.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

drl

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