



WEB COPY



Crl.O.P.No.26549 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2024

CORAM

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

Crl.O.P.No.26549 of 2024

Manish

...Petitioner

Vs.

The State rep by  
Rep by The Inspector of Police  
Sirkali Police Station,  
Mayiladuthurai District  
( Crime No.151 of 2021)

...Respondent/Complainant

**PRAYER:** Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in S.C.No.168 of 2021 on the file of the District and Sessions Judge, Mayiladuthurai in Crime No.151 of 2021 on the file of respondent police.

For Petitioner : Mr.J. Jawahar

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

\*\*\*\*\*



WEB COPY



CrI.O.P.No.26549 of 2024

## **ORDER**

The petitioner seeks bail in S.C.No.168 of 2021 on the file of the District and Sessions Judge, Mayiladuthurai for the offences under Sections 454,397,307,302 of I.P.C r/w 25(1)(a) of Arms Act Subsequently altered to 120(b), 449,342,297,506(ii), 302(2 counts), 394, 302 r/w 109 of IPC and Section 25(1)(a) of Arms Act in Crime No.151 of 2021 on the file of the respondent police. The petitioner was arrested and remanded to judicial custody on 15.09.2022.

2. The case of the prosecution is that the petitioner have committed murdered the wife and son of the defacto-complainant and looted Rs.6,75,000/- ,12.5 soverigns of jewels and a car. Hence, the respondent police has registered a case against the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He would further submit that the petitioner is arrested and is in judicial custody from 15.09.2022 and is ready to abide by any conditions that may be



Crl.O.P.No.26549 of 2024

imposed by this Court. Hence, he prayed bail for the petitioner.

4. Learned Government Advocate (Crl.Side) opposes the grant of bail to the petitioner by stating that the petitioner have committed murder against the wife and son of the defacto-complainant and looted Rs.6,75,000/- ,12.5 soverigns of jewels and a car. He further submitted that investigation has been completed and most of the witness were examined before the trial Court.

5. Heard both sides and perused the materials available on record.

6. Considering the submission of the learned counsel on either side, nature of offence, considering the period of incarceration undergone by the petitioner, investigation has been completed and most of the witness were examined before the trial Court and also considering all others factors, I am inclined to grant bail to the petitioner, subject to certain conditions.



CrI.O.P.No.26549 of 2024

7. 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, each for a like sum to the satisfaction of the learned District and Sessions Judge at Mayiladuthurai and on further conditions that:

**[a] the Petitioner shall report before the trial court on all working days at 10.30 am., until further orders.**

[b] the petitioner shall attend in accordance with the conditions of the bond;

[c] the Petitioner 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;

[d] the Petitioner 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 or tamper with the evidence;

[e] the Petitioner shall not abscond either during investigation or trial;



CrI.O.P.No.26549 of 2024

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

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

**24.10.2024**

*smn*

To

- 1.The District and Sessions Judge at Mayiladuthurai
- 2.The Superintendent, Central Prison, Trichy
3. The Inspector of Police  
Sirkali Police Station,  
Mayiladuthurai District
- 4.The Public Prosecutor,  
High Court of Madras.

**P.DHANABAL, J.**

*smn*



WEB COPY



Crl.O.P.No.26549 of 2024

Crl.O.P.No.26549 of 2024

24.10.2024