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CrI.O.P.No.27030 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.27030 of 2024

Ramkumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Medavakkam Police Station,
Chennai.

(Crime No.550 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail, in connection with the Crime No.550 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Sasikumar

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

ORDER

This Criminal Original Petition has been filed by the petitioner/A4, who was arrested and remanded to judicial custody on 13.09.2024, seeking bail in Crime No.550 of 2024 registered for “Man Missing” and later, altered for the offence under Section 109 of BNS.



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2. The case of the prosecution is that the de facto complainant's son and the accused were friends and on 07.09.2024, the accused along with the victim had consumed liquor near a lake and during such time, there was a quarrel between them, in which, the accused, in an inebriated condition, have assaulted the de facto complainant's son/victim and pushed him into the lake. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner, aged about 22 years, is an innocent person and he has been falsely implicated in this case. He also submitted that the petitioner is the friend of the victim and the incident had happened only during the quarrel and there is no intention or motive on the part of the petitioner to murder the victim. He further submitted that the petitioner is in custody from 13.09.2024 and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (CrI.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that



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during the quarrel, the petitioner/A4 along with other accused, in an inebriated condition, had assaulted their friend/victim and attempted to murder him, by pushing him into the lake. He further submitted that the body of the victim is not yet recovered, however, there is evidence to connect the petitioner into this crime.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the period of incarceration undergone by him, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Alandur**, and on further conditions that :



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[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 stay at Villupuram and report before the Inspector of Police, Villupuram Town Police Station, everyday at 10.30 a.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 269 B.N.S.

13.11.2024

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To



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1. The Judicial Magistrate No.II,
Alandur.
2. The Inspector of Police,
Medavakkam Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Villupuram Town Police Station,
Villupuram.



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A.D.JAGADISH CHANDIRA., J.

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