



Crl.O.P.No.30214 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2024

CORAM

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

Crl.O.P.No.30214 of 2024

1. Arun
2. Surya
3. Vignesh
4. Vijayan
5. Manickam

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.

(Crime No.400 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on bail, in connection with Crime No.400 of 2024, pending investigation on the file of the respondent Police.

For Petitioner : Mr.M.Jaikumar

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



Crl.O.P.No.30214 of 2024

WEB COPY

ORDER

Petition seeking bail in respect of Crime No.400 of 2024 registered under Section 194(1) of BNSS and later altered for the offences punishable under Sections 103 of BNS @ 191(2), 126(2), 103(2), 61(2), 191(3), of BNS is on board for consideration.

2. The incarceration of the petitioners being from 04.10.2024 and 05.10.2024 respectively pleading innocence on the part of the petitioners and false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He also submits that even in the First Information Report, the name of the petitioners does not find place, however, later, they were implicated in this case due to previous enmity. He further submits that the co-accused has been granted bail by this Court in Crl.O.P.No.29047 of 2024 dated 26.11.2024 and the petitioners are ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the fourth petitioner/A8 herein, suspecting that the victim/deceased



Crl.O.P.No.30214 of 2024

is responsible for the death of his son, had nurtured enmity with the victim and by conspiring with other accused, murdered him. He further submits that the petitioners herein are arrayed as A2, A3, A4, A8 and A9 and one previous case is pending against A2 and in respect of others, there is no previous case.

4. Having heard the learned counsel for the petitioners and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and taking note of the period of incarceration undergone by the petitioners, this court is inclined to grant bail to the petitioners with certain conditions and accordingly, the petitioners are ordered to be released on bail on their executing separate bond each 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, Uthiramerur**, 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 petitioners shall stay at Tiruvannamalai and report before the Inspector of Police, Tiruvannamalai Town Police Station, everyday at 10.30 a.m., until further orders;



WEB COPY



Crl.O.P.No.30214 of 2024

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners 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 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]***;

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

04.12.2024

ham



Crl.O.P.No.30214 of 2024

WEB COPY

To

1. The Judicial Magistrate,
Uthiramerur.
2. The Inspector of Police,
Uthiramerur Police Station,
Kancheepuram District.
3. The Superintendent,
Central Prison (Men),
Vellore.
4. The Public Prosecutor,
High Court of Madras.
5. The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District.



WEB COPY



Crl.O.P.No.30214 of 2024

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.30214 of 2024

04.12.2024