



WEB COPY



Crl.O.P.No.28620 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.28620 of 2023

1.Murugan

2.Vignesh @ Vicky

3.Kumar

... Petitioners

Vs.

The State represented by
The Inspector of Police,
Kannankurichi Police Station,
Salem.

Crime No.1617 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioners on bail in Crime No.1617 of 2023 on the file
of the respondent Police.

For Petitioners : Mr.S.Sengkodi

For Respondent : Mr.L.Baskaran

Government Advocate (Crl. Side)

ORDER

The petitioners who were arrested and remanded to judicial
custody on 15.11.2023 for the offences under Sections 341, 294(b), 307 and



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506(ii) of IPC, in Crime No.1617 of 2023 on the file of the respondent Police, seek bail.

2. The petitioners are arrayed as A1 to A3. The case of the prosecution is that on 12.11.2023, near Pillaiyar Nagar Junction, a young boy had fired crackers which led to a quarrel. That was pacified but subsequently, the petitioners came to the house of the defacto complainant and committed offences under Section 307 of IPC.

3. It is stated by the learned Government Advocate the investigation has been completed and the injured has been discharged from the hospital.

4. Taking all the factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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 Judicial Magistrate No.IV, Salem 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



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioners shall report before the respondent Police, everyday, twice at 10.30 a.m and 6.30 p.m., until further orders.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

08.01.2024

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To

1.The Judicial Magistrate No.IV, Salem.

2.The Central Prison, Salem.



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C.V.KARTHIKEYAN,J.

Vkr

3.The Inspector of Police,
Kannankurichi Police Station,
Salem.

4. The Public Prosecutor, High Court of Madras.

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