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Crl.O.P.No.536 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

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

Crl.O.P.No.536 of 2025

1. Manikandan

2. Delhi Babu

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
(Crime No.662 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, pleaded to enlarge the petitioners on bail, in connection with Crime No.662 of 2024, pending investigation on the file of the respondent Police.

For Petitioners : Mr.E.Kannadasan

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

ORDER

Petition seeking bail in respect of Crime No.662 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 126(2), 103(1) and 351(3) of BNS, is on board for consideration.



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2. The incarceration of the petitioners, who are arrayed as A1 and A2, being from 02.11.2024, 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 this is the second application for bail filed by the petitioners before this court and on considering the specific allegation against them, their first bail application was dismissed on 03.12.2024. He further submits that the co-accused has been released on bail and the petitioners, who are suffering incarceration for more than two months, 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 due to the existing money dispute, the petitioners/A1 & A2 along with other accused murdered the son of the de facto complainant/victim, by stabbing him with knife. He further submits that the major part of the investigation is over and further, both the petitioners having one previous case.

4. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record and considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners



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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 No.I, Tirupattur**, 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 Chengalpattu and report before the Inspector of Police, Chengalpattu Town Police Station, everyday at 10.30 a.m., until further orders. It is made clear that the petitioners shall not enter into the jurisdictional limits of the respondent Police, 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]*;



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A.D.JAGADISH CHANDIRA.,J.

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

09.01.2025

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To

1. The Judicial Magistrate No.I,
Tirupattur.
2. The Inspector of Police,
Jolarpet Police Station,
Tirupattur District.
3. The Superintendent,
Central Prison,
Vellore.
4. The Inspector of Police,
Chengalpattu Town Police Station,
Chengalpattu.
5. The Public Prosecutor,
High Court of Madras.

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