

Crl.O.P.No.13259 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 07.05.2016 for an alleged offences punishable under Sections 341, 294(b), 324, 336, 427, 307 and 506(2) IPC in Crime No.655 of 2016 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that totally there are four accused in this case. The petitioner is A4. The defacto complainant is Auto Driver and on 06.05.2016, on account of previous enmity between the accused and the defacto complainant, the petitioners are alleged to have attacked the defacto complainant with knife and also threatened him and thereby caused grievous injuries.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any such offence and false case has been registered as against the petitioner. He further submitted that the petitioner is suffering incarceration for more than 51 days and hence he may be enlarged on bail.

4. The learned Government Advocate (Crl. Side) would submit that there is no previous case against the petitioner and that the petitioner herein is only present along with other accused at the time of occurrence.

5. Considering the facts and circumstances of this case and taking note of the fact that the petitioner has no previous case, I am inclined to grant bail to the petitioner.

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6. 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 V Metropolitan Magistrate, Chennai-8 and on further conditions that:

[a] the petitioner shall appear before the respondent police daily at 10.30 a.m. until further Orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the 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 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]**.

27.06.2016

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