

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7024 of 2021

1. Krishnaraj
2. Ikbal Hossin

... Petitioners

Vs.

The Inspector of Police,
J-8, Neelankarai Police Station,
Chennai 600 041.
(Crime No.112 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to grant bail to the petitioners pending investigation in Crime No.112 of 2021 on the file of the respondent police.

For Petitioners : Mr.D.Balaji

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioners who were arrested on 06.03.2021 and remanded to judicial custody for the offences under Section 365, 342, 324, 506(1) of IPC r/w 34 of IPC in Cr.No.112 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is a man power agent and the petitioners abducted the victims who were employees of the defacto complainant and assaulted them by using wooden logs and iron box, thereby the victims sustained grievous injuries. Hence, the complaint came to be registered.

3. The learned counsel for the petitioners submits that the petitioners are in no way connected with the offence and that the petitioners have been in jail from 06.03.2021. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor vehemently opposed the grant of bail by stating that the petitioners abducted the victims who were employees of the defacto complainant and assaulted them by using wooden logs and iron box, thereby the victim sustained

grievous injuries. She would further submit that investigation is almost completed and the victims were discharged from the hospital.

5. Taking into consideration the fact that investigation is almost completed and the victims were discharged and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Alandur and on further condition 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 report before the respondent police, daily at 10.30 a.m. until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

15/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
J.8, NEELANKARAI POLICE STATION,
CHENNAI 600 041

5 THE OFFICER INCHARGE ,
SUB JAIL, CHENGALPATTU

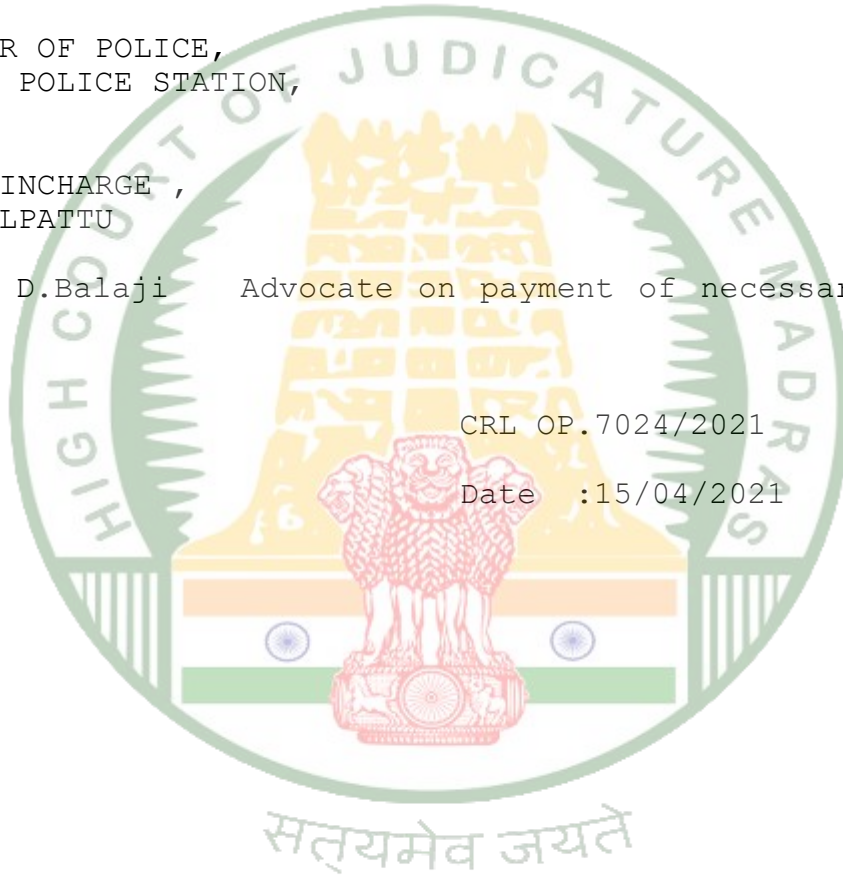
CC to M/s D.Balaji
SR.NO. 4714

Advocate on payment of necessary charges

CRL OP.7024/2021

Date :15/04/2021

rvr 15/04/2021



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