

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7178 of 2021

1. Raman @ Ramachandran
2. Muthuraj

... Petitioners

Vs.

State by
The Inspector of Police,
Keelamangalam Police Station
Krishnagiri District
(Crime No.45 of 2021)

... Respondent

PRAYER: Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to grant bail to the petitioner pending investigation in Crime No.45 of 2021 on the file of the respondent police.

For Petitioners : Mr.M.Jayachandran

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioners who were arrested on 23.02.2021 and remanded to judicial custody for the offences under Sections 294(b), 307 of IPC in Cr.No.45 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the due to money dispute the petitioners said to have attacked the defacto complainant and caused grievous injuries to him. Hence, the law enforcing agency registered a case against the petitioners.

3. The learned counsel for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and the petitioners have been in jail from 23.02.2021. Therefore, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor opposed the grant of bail by stating that the petitioners said to have attacked the defacto complainant and caused grievous injuries to them. She

further submits that investigation is almost completed and the injured discharged from the hospital.

5. Taking into consideration the fact that investigation is almost completed and the injured discharged from the hospital, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Denkanikottai 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 for a period of two weeks and thereafter as and when required for interrogation.

(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/-

17/04/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, DENKANIKOTTAI

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KELAMANGALAM POLICE STATION,
KRISHNAGIRI DISTRICT

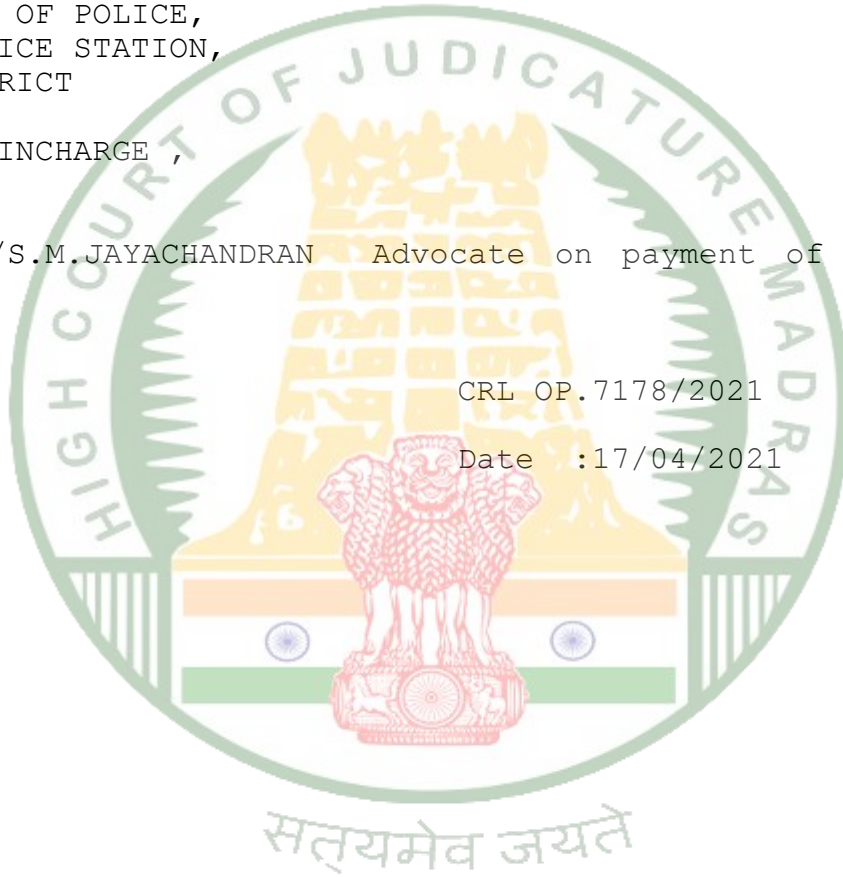
5 THE OFFICER INCHARGE ,
SUB JAIL, HOSUR

CC to M/S.M.JAYACHANDRAN Advocate on payment of necessary
charges

CRL OP.7178/2021

Date :17/04/2021

rvr 17/04/2021



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