

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.7221 of 2021

1.Damodharan
2.Janakiraman

... Petitioners

Vs.

State

Rep by Inspector of Police,
Maduranthakam Police Station,
Kanchipuram District.
(Crime No.74 of 2021)

... Respondent

Prayer:

Petition filed under Section 437 of Cr.P.C., seeking to enlarge the petitioners in bail in the criminal case in Crime No.74 of 2021 on the file of the respondent police for the offence alleged to have been committed under Sections 341, 294(b), 323, 324, 506(ii) of Indian Penal Code r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992.

For Petitioners : Mr.D.Ravichander

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

The first petitioner who is in judicial custody since 08.03.2021 and the second petitioner who is in judicial custody since 15.03.2021 for the offence under Sections 341, 294(b), 323, 324, 506 (ii) of I.P.C. r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 r/w Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 in Cr.No.74 of 2021 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the petitioners are alleged to have attacked the defacto complainant.

3. The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution.

4. The learned Additional Public Prosecutor submitted that the injured has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, I am inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 Judicial Magistrate, Madhurantakam 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 petitioners 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/-

19/04/2021

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,
MADHURANTAKAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE OFFICER INCHARGE
SUB JAIL, MADHURANTHAGAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

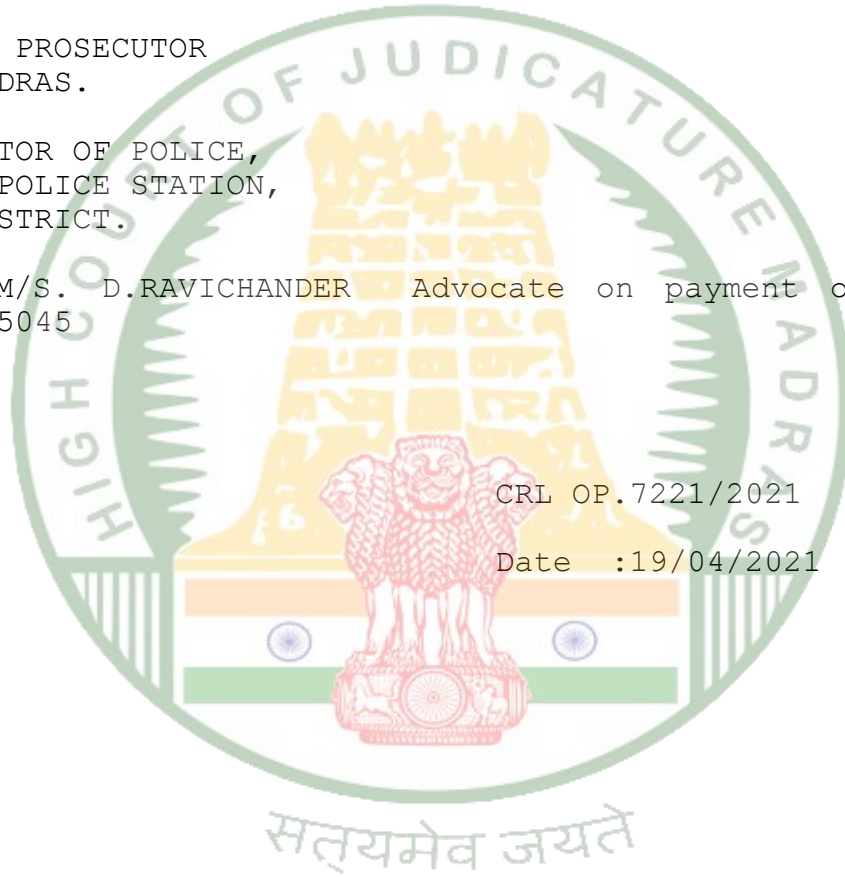
5 THE INSPECTOR OF POLICE,
MADURANTHAKAM POLICE STATION,
KANCHIPURAM DISTRICT.

+1 CC to M/S. D.RAVICHANDER Advocate on payment of necessary
charges SR.No.5045

CRL OP.7221/2021

Date :19/04/2021

cs 20/04/2021



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