

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.04.2021

CORAM

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

Crl.O.P.No.7222 of 2021

1. Ramesh

2. Sathya moorthy @ Sathya ... Petitioners

Vs.

The State Represented by :-
Inspector of Police,
Pallikaranai Police Station,
Chennai.
Crime No.208 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C., praying to grant bail to the petitioners/accused in Crime No.208 of 2021 on the file of the respondent police.

For Petitioners : Mr.S.Vellidoss

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioners who were arrested on 15.03.2021 for the offence under Section 341, 294(b), 324, 307, 506(ii) IPC in Crime No.208 of 2021, on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the petitioners along with other accused waylaid the defacto complainant, abused him with filthy language, assaulted with knife, caused injuries. When the defacto complainants friend came to rescue him, the accuse person assaulted him with knife, caused injuries and also threatened them with dire consequences.

3. The learned counsel appearing for the petitioners submitted that the petitioners are nothing to do with the alleged offence as stated by the prosecution and he is in custody for more than 60 days. Hence, he learned counsel prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners and other accused persons waylaid the defacto complainant and his friend due to previous enmity and attacked him and caused injuries. There are two previous cases pending against the petitioners and the injured persons have been discharged from the hospital.

5. Considering the facts and circumstances of the case, the petitioners having been under incarceration for more than 60 days in prison and the

injured persons have been discharged from the hospital, this Court is inclined to grant bail to the petitioners with following conditions:

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-I, Alandur, Chennai 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 are directed to appear before the respondent police daily morning at 10.30 am 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

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]***; and;

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

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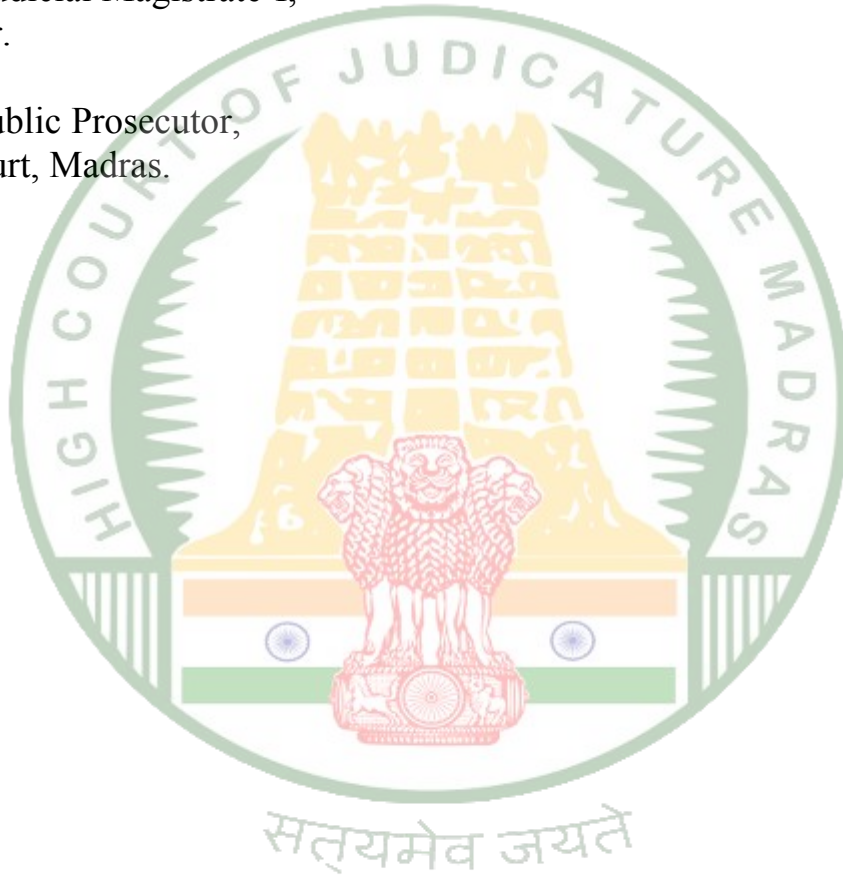
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To

1.The Inspector of Police,
Pallikaranai Police Station,
Chennai.

2. The Judicial Magistrate-I,
Alandhur.

3. The Public Prosecutor,
High Court, Madras.



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M.DHANDAPANI,J.

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