

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.7849 of 2021

Mohamed Thaherullah Sheriff

... Petitioner

Vs.

The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
Ref.Cr.No.8 of 2021

.... Respondent/Complainant

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail in Crime No.8 of 2021 pending on the file of respondent.

For Petitioner : Mr.A.Rajamohamed, Advocate

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

ORDER

The petitioner who was arrested on 26.03.2021 for the offence under Sections 294(b), 324, 506(2) of I.P.C. altered to under Sections 120(b), 294(b), 307, 506(ii) and 379 of I.P.C. in Ref.Cr.No.8 of 2021 on the file of the respondent police, seeks bail.

2.It is the case of the prosecution that the petitioner along with the other accused is alleged to have attacked the defacto complainant. The petitioner is arrayed as A3 in the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has 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 petitioner.

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.2, Hosur 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 petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(d)the petitioner 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/-

26/04/2021

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 2,
HOSUR.

2.THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI DISTRICT.(FOR INFORMATION)

3.The Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

4.THE OFFICER-IN-CHARGE
SUB JAIL,HOSUR.

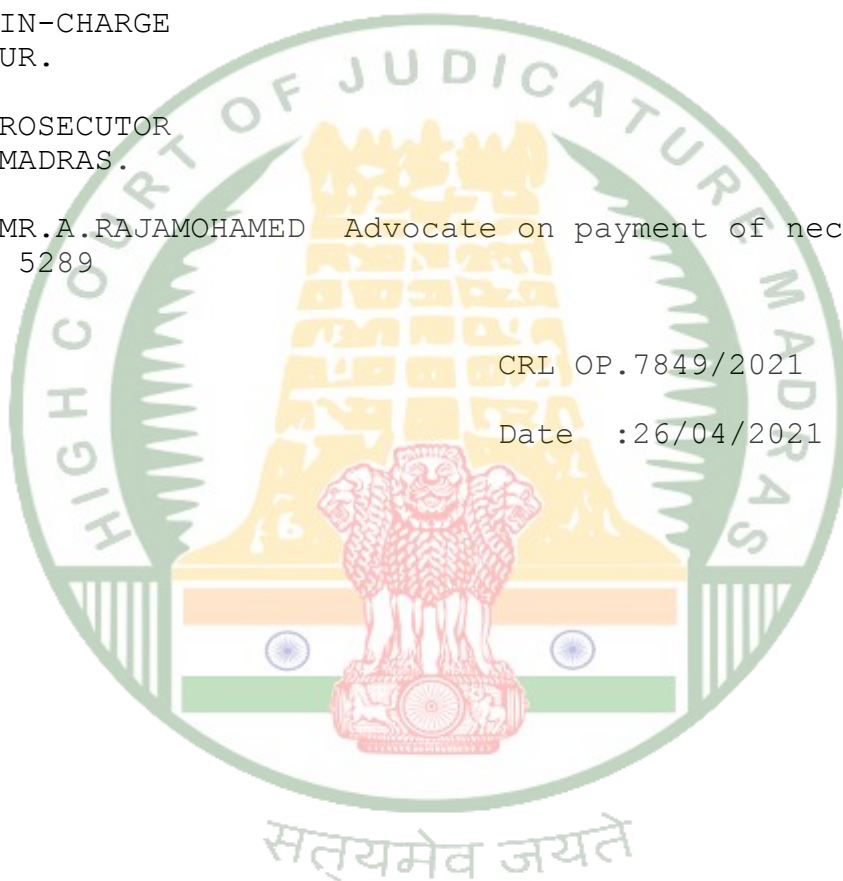
5.THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 CC to MR.A.RAJAMOHAMED Advocate on payment of necessary
charges SR.No. 5289

CRL OP.7849/2021

Date :26/04/2021

TK/26.04.2021



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