

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P.No.8087 of 2021

1.Mebupkhan  
2.Sangithkhan

... Petitioners

Vs.

State represented by  
The Inspector of Police,  
Thanipadi Police Station,  
Tiruvannamalai District.  
(Cr.No.123 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in Crime No.123 of 2021 on the file of the respondent police.

For Petitioners : Mr.R.Bhagawat Krishna

For Respondent : Ms.M.Prabhavathi  
Additional Public Prosecutor

O R D E R

The petitioners who were arrested and remanded to judicial custody on 08.04.2021 for the offence under Sections 294(b), 323, 307, 506(2) of I.P.C. in Crime No.123 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 would submit 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 District Munsif cum Judicial Magistrate, Thandarampet 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 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.

-sd/-

29/04/2021

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

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TRUE COPY

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

TO

1 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, THANDARAMPET.

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUVANNAMALAI [FOR INFORMATION]

3 THE SUPERINTENDENT,  
CENTRAL PRISON, VELLORE.

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

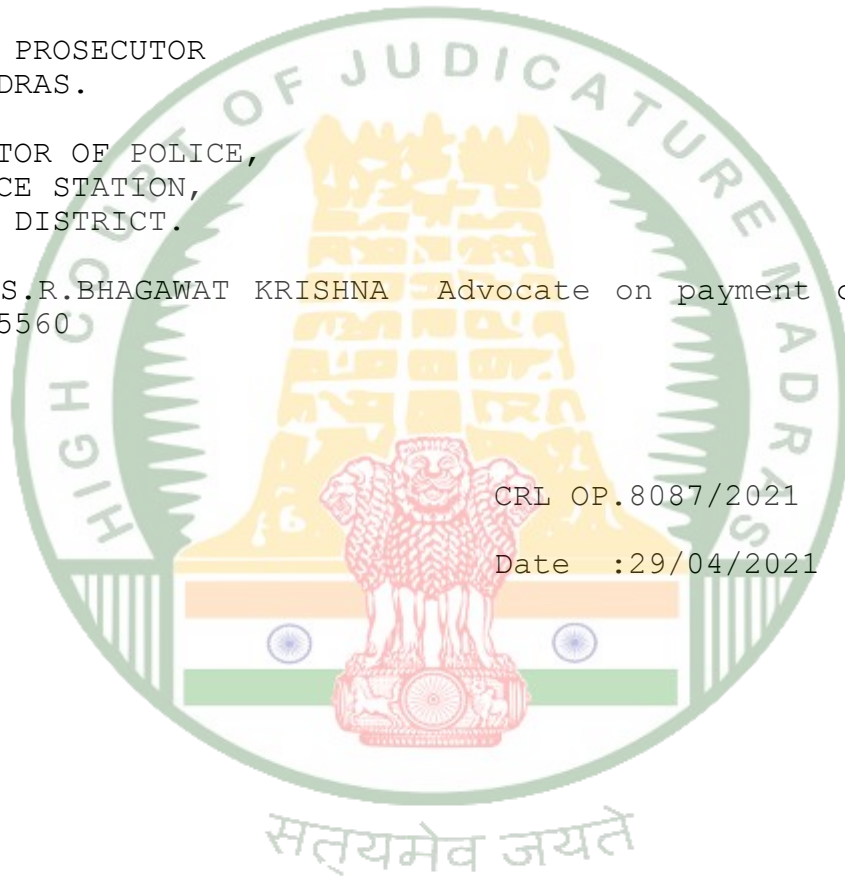
5 THE INSPECTOR OF POLICE,  
THANIPADI POLICE STATION,  
TIRUVANNAMALAI DISTRICT.

+1 CC to M/S.R.BHAGAWAT KRISHNA Advocate on payment of necessary  
charges SR.No.5560

CRL OP.8087/2021

Date :29/04/2021

cs 30/04/2021



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