

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.8058 of 2021

1.Ramesh
2.Senthilkumar

... Petitioners

Vs.

State Rep by
The Inspector of Police,
Bargur Police Station,
Krishnagiri.
(Crime No.104 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioners on bail in connection with Crime No.104 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.S.Marshall

For Respondent : Ms.M.Prabhavathi
Additional Public Prosecutor

O R D E R

The petitioners who were arrested on 09.04.2021 for the offence under Sections 147, 148, 323, 506(ii) of I.P.C. and Section 3(1) of TNPPDL Act 1992 in Crime No.104 of 2021 on the file of the respondent police, seek bail.

2.It is the case of the prosecution that due to election dispute the petitioners along with the other accused are alleged to have attacked the defacto complainant. The petitioners are arrayed as A3 and A4 in the case.

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

4.Heard the submissions made by the learned Additional Public Prosecutor.

5.Considering the facts and circumstances of the case, 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 No.I, Krishnagiri, 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 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

TRUE COPY

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

TO

1 THE JUDICIAL MAGISTRATE NO.I,
KRISHNAGIRI.

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNAGIRI [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

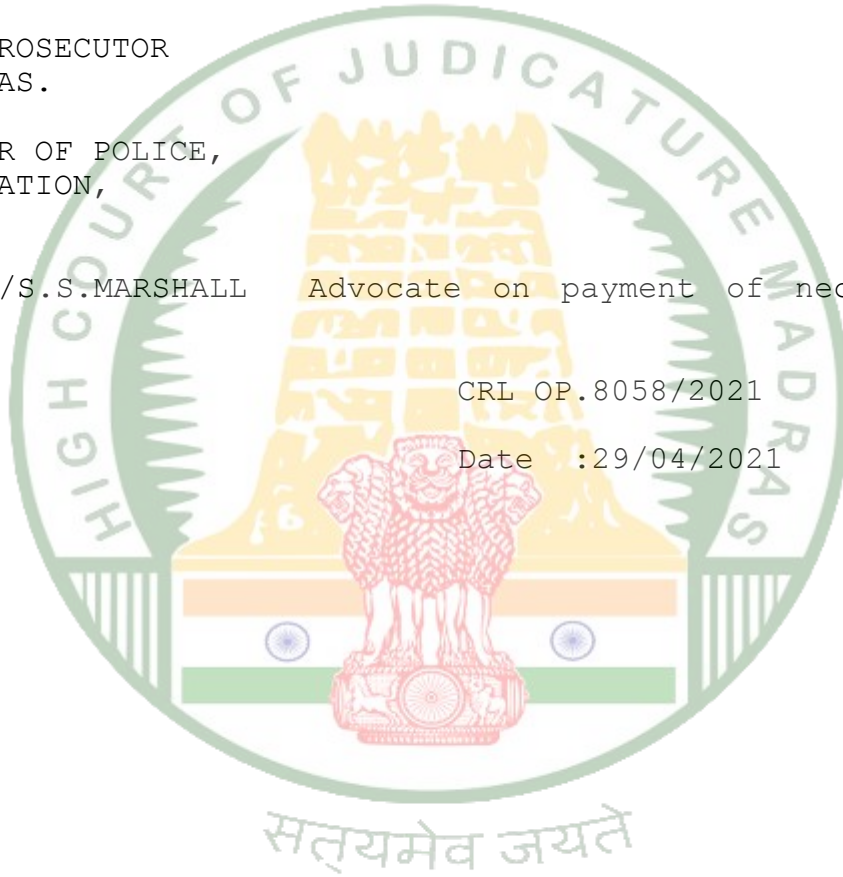
5 THE INSPECTOR OF POLICE,
BARGUR POLICE STATION,
KRISHNAGIRI.

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

CRL OP.8058/2021

Date :29/04/2021

MK:30/04/2021



WEB COPY