

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.05.2021

CORAM :

THE HON'BLE Mr.JUSTICE G.R.SWAMINATHAN

CrI.O.P.No.8597 of 2021

PLS.Palanisamy @ Palanisamy

.. Petitioner

Vs.

State : Inspector of Police
Maruvathur Police Station
Perambalur District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Criminal Procedure Code to grant bail to the petitioner/accused in Crime No.162 of 2021 on the file of the respondent police station.

For Petitioner : Mr.S.Saranraj

For Respondent : Mr.Charles Premkumar
Government Advocate (CrI. Side)

ORDER

(The case has been heard through video conference)

Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) appearing for the respondent.

2. The petitioner was arrested and remanded to judicial custody on 22.04.2021 for the alleged offences under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.162 of 2021. He seeks bail.

3. The learned counsel for petitioner would submit that the injured has since been discharged. The petitioner gives an undertaking that he will keep away from the de facto complainant. This Court is of the view that the continued incarceration of the petitioner is not necessary. Hence, bail is granted to the petitioner subject to the following conditions:

(a) Accordingly, the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten

Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Perambalur, and on further conditions that:

(b) The petitioner shall appear before the respondent police daily at 6.00 p.m. for a period of four weeks.

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner shall not commit any offences of similar nature;

(e) the petitioner shall not abscond either during investigation or trial;

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

(g) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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];

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

4. With the above directions, this Criminal Original Petition is ordered.

-sd/-

06/05/2021

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

TRUE COPY

WEB COPY

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

TO

1 THE JUDICIAL MAGISTRATE-I,
PERAMBALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
PERAMBALUR [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
MARUVATHUR POLICE STATION,
PERAMBALUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL, PERAMBALUR.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S. S.SARANRAJ Advocate on payment of necessary charges
SR.NO. 5865

CRL OP.8597/2021

Date :06/05/2021

MN-07/05/2021



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