

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Date : 13.05.2021

PRESENT

THE HON`BLE MR.JUSTICE G.CHANDRASEKHARAN

CRL OP. No.8997 of 2021

Premkumar .... Petitioner/Accused No.2

Vs

State Rep. By .... Respondent/Complainant  
The Inspector of Police,  
Mailam Police Station,  
Villupuram District.  
Crime No.312 of 2021.

For Petitioner : M/s.M.Madhu Prakash, Advocate.

For Respondent : Mr.S.Karthikeyan  
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

To enlarge the Petitioner/Accused No.2 on bail in Crime No.312 of 2021 on the file of the respondent police.

सत्यमेव जयते  
**ORDER**

The petitioner, who was arrested on 06.04.2021 for the offences punishable under Sections 294(b), 323, 324 and 307 of IPC in Crime No.312 of 2021, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to intra party political rivalry, there was a quarrel between the petitioner and the defacto complainant. The petitioner along with other accused attacked the defacto complainant and caused injuries.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is in judicial custody from 04.04.2021 and co-accused has already been released on bail by this Court in Crl.OP.No.8890 of 2021. Hence, he seeks bail.

4.The learned Additional Public Prosecutor appearing for the respondent submitted the there is a counter case in Cr. No.313 of 2021 and the victim has been discharged from the hospital.

5. Taking note of the fact that victim has been discharged from the hospital and co-accused has already released on bail and the petitioner is in judicial custody from 04.04.2021, this Court is 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, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Tindivanam 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 am., until further orders.
- c) the petitioner shall not abscond either during investigation or trial.
- d) the petitioner shall not tamper with evidence or witness 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 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]**.
- f) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

13/05/2021

WEB COPY

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.II, TINDIVANAM.

2 THE CHIEF JUDICIAL MAGISTRATE  
VILLUPURAM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
MAILAM POLICE STATION,  
VILLUPURAM.

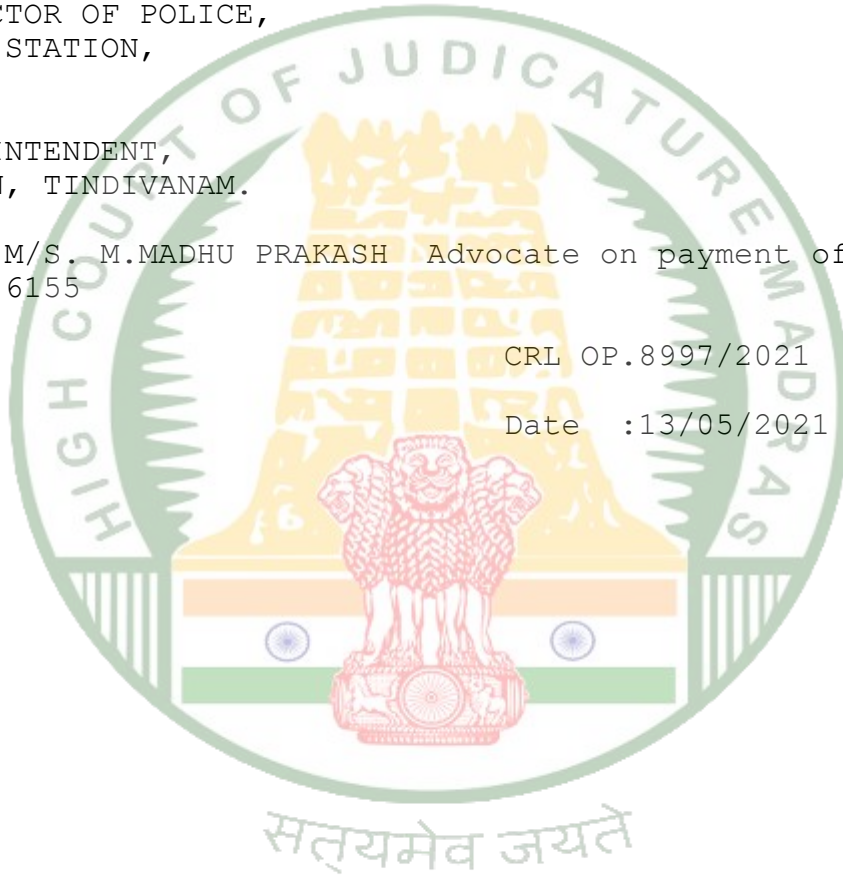
5 THE SUPERINTENDENT,  
CENTRAL PRISON, TINDIVANAM.

+3 CC to M/S. M.MADHU PRAKASH Advocate on payment of necessary  
charges SR.NO.6155

CRL OP.8997/2021

Date :13/05/2021

TA-17/05/2021



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