



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.No.12855 of 2021

Jinu P. Ajith

... Petitioner

Vs

The State Represented by :-
The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.
Crime No.742 of 2021

... Respondent

Prayer: Criminal Original Petition filed under Section 439 Cr.P.C.,
praying to enlarge the petitioner/accused on bail in connection with
the Crime No.742 of 2021 pending on the file of the respondent
police.

For Petitioner : Mr.K. Myilsamy

For Respondent : Mr.A.Gopinath
Government Advocate(Cr1. side)

ORDER

The petitioner who was arrested and remanded to judicial custody
on 23.06.2021 for the offence under Sections 147, 148, 294(b), 323,
324, 307, 363 and 506(ii) of IPC in Cr.No.742 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.

3.The learned counsel appearing for the petitioner submitted
that the petitioner has not committed any offence as alleged by the
prosecution and that he has been falsely implicated in the case.

4.The learned Government Advocate (Cr1. Side) submits that the
injured has been discharged from the hospital.

5.Considering the facts and circumstances of the case and the
injured discharged from the hospital and there is no previous case
pending against him, this Court is inclined to grant bail to the
petitioner with following conditions:



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.5, Coimbatore, 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 is directed to appear before the respondent police daily morning at 10.30 am 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 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/-
26/07/2021

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.5, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE SUPERINTENDENT
CENTRAL PRISON, COIMBATORE.



4 THE INSPECTOR OF POLICE,
PERIYANAICKENPALAYAM POLICE STATION,
COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

CRL OP.12855/2021

Date :26/07/2021

APN 27/07/2021