



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.15878 of 2021

Saravanakumar

... Petitioner

Vs.

The State of Tamil Nadu
rep. by Inspector of Police,
Thriuvallur Town Police Station,
Thriuvallur Town, Thriuvallur District
(Crime No.814 of 2021)

... Respondent

COMMON PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail pending investigation in Crime No 814 of 2021 on the file of the respondent police.

For Petitioner : Mr.M. Tamil Thendral Arasu

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioner was arrested on 31.07.2021 and remanded to judicial custody for the offences under Sections 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of IPC in Crime No.814 of 2021 on the file of the respondent seeks bail.

2. Totally there are eight accused in this case and the petitioner herein arrayed as A4. The case of the prosecution is that on 30.07.2021, the petitioner along with other accused persons attacked the defacto complainant with iron rod and caused injuries due to previous enmity. Based on the complainant, the Law Enforcing Agency registered a case against the petitioner and other accused.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the alleged offences in order to wreak vengeance he has been falsely implicated in this case. He further submits that the petitioner has been jail from 31.07.2021. He further submits that this Court had granted anticipatory bail to the co-accused in Crl.O.P.No.14076 of 2021 on 13.08.2021. Hence he prays for grant of bail to the petitioner.



4. The learned Government Advocate (Crl.Side) submitted that the injured discharged from the hospital. However, the learned Government Advocate opposed for grant of bail to the petitioner.

5. Considering the submissions made by the petitioner and the injured discharged from the hospital and this Court had granted anticipatory bail to the co-accused and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain 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, each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.1, Thiruvallur 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 Vellore Town Police Station daily at 10.30 a.m. And 5:30 p.m 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 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]; and;

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

-sd/-

14/09/2021

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR TOWN,
THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI

6 THE OFFICER INCHARGE,
VELLORE TOWN POLICE STATION,
VELLORE.

CC to M/S.M.TAMIL THENDRAL ARASU Advocate on payment of
necessary charges Sr.9985

CRL OP.15878/2021

Date :14/09/2021

RVR 15/09/2021