



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20446 of 2021

S.Siva Kumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Tiruvannamalai Taluk Police Station,
Tiruvannamalai Taluk and District.
(Crime No.924 of 2021)

... Respondent

Prayer:

Petition filed under Section 439 of Cr.P.C., seeking to enlarge the petitioner on bail concerned in Crime No.924 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.S.S.Jothivani

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

O R D E R

The petitioner who was arrested on 16.10.2021 for the offence under Sections 294(b), 324 and 307 of I.P.C. in Crime No.924 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 would submit that the petitioner has not committed any offence as alleged by the prosecution. The learned counsel further submitted that the co-accused has already been enlarged on bail by this Court in Crl.O.P.No.18695 of 2021.



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

5.Considering the fact that the injured has been discharged from the hospital, I am 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, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Tiruvannamalai 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 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(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 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/-

29/10/2021

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.II, TIRUVANNAMALAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, POLUR, TIRUVANNAMALAI DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
TIRUVANNAMALAI TALUK POLICE STATION,
TIRUVANNAMALAI TALUK AND DISTRICT .

+1 CC to M/S S.S.JHOTHIVANI Advocate on payment of necessary
charges SR.NO.12154

CRL OP.20446/2021

Date :29/10/2021

RW 01/11/2021