



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.20915 of 2021

Sathish @ Sathishkrishna Kumar

.. Petitioner /Accused-6

Vs.

State rep. By
The Inspector of Police
C-2, Race Course Police Station,
Coimbatore city,
Coimbatore District.
(Crime No.561 of 2021)

...Respondent/Complainant

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail in Crime No.561 of 2021 on the file of the respondent.

For Petitioner : Mr.A.Tamilarasan

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 27.08.2021 for the offences under Sections 147, 148, 341, 294(b), 323, 307 and 506(ii) of IPC, in Crime No.561 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that on 27.08.2021 at about 14.00 hours, the petitioner along with other accused attacked the defacto complainant and his friends who are the accused in Crime No.59 of 2020 in connection with a murder case of A1's son, with wooden log and knife while they were returning from Court. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is studying 1st year B.Sc. Computer Science in Dr.SNS Rajalakshmi College of Arts and Science, Coimbatore, and that he has been falsely implicated in this case. He would further submit that A3 has been granted bail by this Court in Cr1.O.P.No.20295 of 2021 by order dated 29.10.2021 and there is no



previous case against the petitioner and that he has been suffering incarceration for more than 70 days from 27.08.2021. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate raised objection stating that the petitioner who is arrayed as A10, is also involved in the assault made on the defacto complainant and others. He would further submit that A3 and A9 have been granted bail and there is no previous case against the petitioner.

5. Considering the period of incarceration suffered by the petitioner and the fact that the petitioner is a college student and there is no previous case against 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-III, 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 shall report before the respondent police 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 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/-

09/11/2021

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

TRUE COPY



1 THE JUDICIAL MAGISTRATE,
NO.III, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
C2 RACE COURSE POLICE STATION,
COIMBATORE CITY, COIMBATORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. A.TAMILARASAN Advocate on payment of necessary
charges SR.NO.12548

CRL OP.20915/2021

Date :09/11/2021

CSK 09/11/2021