



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2021

CORAM:

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

Cr1.O.P.No.21107 of 2021

Mohan Prasanth

... Petitioner

Vs.

State Rep.by its
The Inspector of Police,
M-4, Thudiyalur Police Station,
Coimbatore District.
(Crime No.1465 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to release the petitioner on bail in Crime No.1465 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.W.Camyles Gandhi

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

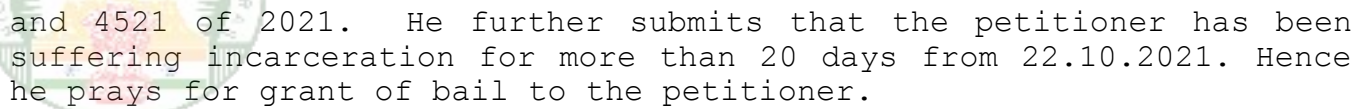
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 22.10.2021 for the offences under Sections 147, 148, 294(b), 307 and 506(ii) of IPC, in Crime No.1465 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons assaulted the victim/defacto complainant by using Patta Kathi and threatened him with dire consequences and also caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the co-accused were already enlarged on bail by the Principal District Sessions Judge, Coimbatore in Cr1.MP.Nos.4518



5. Considering the period of incarceration suffered by the petitioner and also considering the fact that the defacto complainant/victim has been discharged from the hospital and there is no previous case against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

(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;

(c) 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]; and;



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

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-sd/-
10/11/2021

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.II, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE [FOR INFORMATION].

3 THE PRINCIPAL DISTRICT SESSIONS JUDGE,
COIMBATORE

4 THE INSPECTOR OF POLICE
M-4 THUDIYALUR POLICE STATION,
COIMBATORE DISTRICT

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S W.CAMYLES GANDHI Advocate on payment of necessary charges SR.NO.12572

CRL OP.21107/2021

Date :10/11/2021

JPA 10/11/2021