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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2021

CORAM:

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

Cr1.O.P.No.21681 of 2021

J.Deepak

... Petitioner

Vs.

STATE OF TAMIL NADU

... Respondent

Represented by

Inspector of Police

B1 Thiruvallur Town Police Station

Thiruvallur

(B1 Thiruvallur Town

PS Crime No.983 of 2021)

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in B1 Thiruvallur Town PS Crime No.983 of 2021 on the file of the respondent police.

For Petitioner : Mr.B.Isaac

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 29.10.2021 for the offences under Sections 294(b), 324, 506(ii) and 307 IPC in Crime No.983 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the defacto complainant is employed as a Cleaner in "Amutha Private Ambulance" and one Jeyakumar, Ezhumalai and Logu are working as drivers. On 28.10.2021 at about 12.30 a.m., they had parked their ambulance near Thiruvallur Government Hospital compound. At that time the petitioner came and urinated near the Ambulance following which, there a wordy quarrel between them and thereafter, the petitioner left that place. After some time, at about 12.45 a.m., the petitioner again came there and picked up a quarrel during which, the petitioner assaulted one of the



driver namely Jeyakumar with knife and also threatened the defacto complainant and others with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that the petitioner has been suffering incarceration for more than 20 days from 29.10.2021. Hence he prays for grant of bail to the petitioner.

4. The learned Government Advocate raised objection but admits that the investigation is almost completed and the victim has been discharged from the hospital.

5. Considering the fact that the investigation is almost completed and the victim has been discharged from the hospital and also considering the period of incarceration undergone 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-I, Thiruvallur, and on further conditions 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, every Saturday at 10.30 a.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.

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-sd/-
19/11/2021

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.I, THIRUVALLUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
B1 THIRUVALLUR TOWN POLICE STATION,
THIRUVALLUR

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
SUB JAIL, THIRUVALLUR

+2 CC to M/S. S.PAVITHRA SANKAR Advocate on payment of necessary charges SR.No.13036

CRL OP.21681/2021

Date :19/11/2021

APN 22/11/2021