



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

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CORAM:

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

Crl.O.P.No.21620 of 2021

1.Ganesh
2.Arjun

... petitioners/A1 &A2

Vs.

The State rep by
The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.
Crime No: 732 of 2021.

...Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in Crime No.732 of 2021 on the file of the respondent police, Inspector of Police, Shoolagiri Police Station, Krishnagiri District.

For petitioners: Mr.V.S.Senthilkumar

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

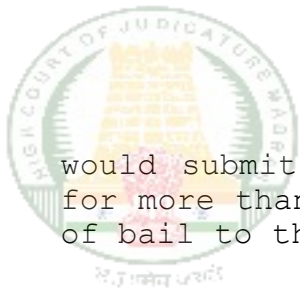
ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 30.10.2021 for the offence under **Sections 294(b), 323, 324, 506(ii) of IPC and Section 3 of TNPPDL Act**, in Crime No.732 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the on 29.10.2021 at about 9.45 p.m., the petitioners along with the other accused went to Mcdonalds restaurant in Shoolagiri and demanded food at free of cost and since, the defacto complainant refused to give free food, the petitioners along with other accused attacked the defacto complainant and his colleagues causing injuries and threatened them with dire consequences and also damaged the properties in the restaurant. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. He



would submit that the petitioners have been suffering incarceration for more than 15 days from 29.10.2021. Hence, he would pray for grant of bail to the petitioners.

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4. The learned Government Advocate raised formal objection and would submit that the injured has been discharged from the hospital.

5. Considering the fact that the investigation is almost completed and injured has been discharged from hospital and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail on their executing separate bonds 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 District Munsif cum Judicial Magistrate-I, Hosur**, 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 petitioners shall report before the respondent police every Friday at 10.30 a.m. until further orders.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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 petitioners 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;



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

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-sd/-
18/11/2021

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NO.I, HOSUR,

2 THE CHIEF JUDICIAL MAGISTRATE
KRISHNGIRI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SHOOLAGIRI POLICE STATION,
KRISHNAGIRI DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL JAIL, SALEM.

+1 CC to M/S. V.S.SENTHILKUMAR Advocate on payment of necessary charges SR.NO.12946

CRL OP.21620/2021

Date :18/11/2021

TA-18/11/2021