



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

WEB COPY

CORAM:

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

CrI.O.P.No.22785 of 2021

Molungu Ramasamy @ Ramasamy

...Petitioner

Vs.

The State; rep by  
The Inspector of Police,  
Namakkal Police Station,  
Namakkal District.  
(Crime No.1681 of 2021)

...Respondent

**PRAYER:** Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.1681 of 2021 pending on the file of the Inspector of Police, Namakkal Police Station, Namakkal District.

For Petitioner : M/s.B.Vasudevan

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 12.10.2021 for the offence under **Sections 294(b), 324, 307, 506(2) of IPC**, in Crime No.1681 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that there was a property dispute between the defacto complainant and the petitioner who is the brother of the defacto complainant. While so, on 10.10.2021, the petitioner along with his wife and sons had abused the defacto complainant in filthy language and attacked the defacto complainant and his father-in-law with Arurval, wooden log and iron rod due to which, they sustained injuries. Hence, the complaint.



3. The learned Counsel for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case due to property dispute and that the petitioner has been suffering incarceration for more than 45 days from 12.10.2021. He would further submit that this Court considering the age of A2 who is the wife of the petitioner, granted bail to A2 in CrI.O.P.No.20513 of 2021 dated 11.11.2021 and now the injured has been discharged from the hospital. Hence, he seeks for grant of bail to the petitioner.

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

5. Considering the fact that the injured has discharged from the hospital and the investigation is almost completed 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 No.I, Namakkal**, 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 on every Tuesday and Sunday 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/-  
30/11/2021

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, NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE  
NAMAKKAL. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
NAMAKKAL POLICE STATION,  
NAMAKKAL DISTRICT.

5 THE SUPERINTENDENT,  
CENTRAL PRISON, SALEM.

CC to M/S.B.VASUDEVAN Advocate on payment of necessary charges

CRL OP.22785/2021

Date :30/11/2021

TA-01/12/2021