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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2021

CORAM:

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

Cr1.O.P.No.22779 of 2021

1.A.Ranjith
2.A.Ajay

...Petitioners

Vs.

The State
Rep. by the Inspector of Police,
Polur Police Station,
Thiruvannamalai District.
(Crime No.970 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.970 of 2021 pending on the file of the Inspector of Police, Polur Police Station, Thiruvannamalai District.

For petitioners: M/s.S.B.Viswanathan

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 03.11.2021 for the offences under Sections 341, 294(b), 324 and 307 of IPC, in Crime No.970 of 2021, on the file of the respondent police seek bail.

2. The case of the prosecution is that the de facto complainant had subscribed to the Diwali Chit fund which was conducted by one Mannar and A1 was the collection executive. While so, the petitioner/A1 had came up for collection from the de facto complainant. At that time, he demanded Rs.100/- extra from the defacto complainant. But the de facto complainant refused to give the same. Hence on 03.11.2021, when the de facto complainant had gone to a hotel near Polur bus stand, the petitioners herein and their father/A3 scolded the de facto complainant in filthy language and



also assaulted him and caused grievous injuries. Hence, the complaint.

3. The learned Counsel for the petitioners/A1 and A2 submitted that the petitioners are innocent and they have been falsely implicated in this case and that the petitioners have been suffering incarceration for more than 20 days from 03.11.2021. He would further submit that co-accused has been granted anticipatory bail by this Court in CrI.O.P.No.21128 of 2021 dated 17.11.2021. Hence, he seeks for grant of bail to the petitioners.

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

5. Considering the facts and circumstances of the case and the fact that the victim has discharged from the hospital and co-accused has been granted anticipatory bail by this Court and the investigation is almost completed and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

6. 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 Judicial Magistrate, Polur, Thiruvannamalai District, 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 on every Tuesday and Sunday at 10.30 a.m. until further orders.

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

(d) the petitioners 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 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;



(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,
POLUR, TIRUVANNAMALAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
POLUR POLICE STATION,
THIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
SUB JAIL, TIRUVANNAMALAI

+1 CC to M/S.S.B.VISWANATHAN Advocate on payment of necessary charges SR.No.13673

CRL OP.22779/2021

Date :30/11/2021

APN 30/11/2021