



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2021

WEB COPY

CORAM:

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

Crl.O.P.No.23571 of 2021

Kannabiran

... Petitioner

Vs.

State by  
The Inspector of Police  
Anaicut Police Station  
Vellore District  
Crime No.111 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.111 of 2021 pending on the file of the respondent police.

For Petitioner : Mr.S.Silambuselman

For Respondent : Mr.N.S.Suganthan  
Government Advocate (Crl. Side)

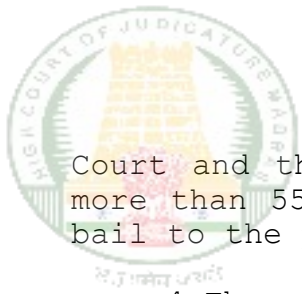
ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 10.10.2021 for the offences under Sections 294(b) and 307 IPC in Crime No.111 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the defacto complainant's husband's elder brother's son and he had borrowed a sum of Rs.2,000/- from the husband of the defacto complainant. When the defacto complainant's husband asked for the money, there was a quarrel between them during which, the petitioner stabbed the defacto complainant's husband. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.10,000/- to any charitable institution without prejudice to his rights and contention as may be directed by this



Court and that the petitioner has been suffering incarceration for more than 55 days from 10.10.2021. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would raise objection stating that due to money dispute, the occurrence happened but admits that the victim has been discharged from the hospital and the investigation is almost completed.

5. Considering the fact that the victim has been 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 - V, Vellore, and on further conditions that:

(a) the petitioner shall make non-refundable deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) through demand draft to the Registered Advocates Clerks Association, Vellore, without prejudice to his defence before the trial Court and the learned Judicial Magistrate, after perusing the challan/ receipt, shall accept the sureties furnished by the petitioners;

(b) 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 report before the respondent police daily at 10.30 a.m. until further orders.

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

(e) the petitioner 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 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;



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

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-sd/-  
07/12/2021

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-V,  
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE  
VELLORE DISTRICT.[FOR INFORMATION]

3 THE INSPECTOR OF POLICE,  
ANAICUT POLICE STATION,  
VELLORE DISTRICT.

4 THE SUPERINTENDENT,  
CENTRAL PRISON, VELLORE.

5 THE REGISTERED  
ADVOCATES CLERKS ASSOCIATION,  
VELLORE DISTRICT.

6 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

+1CC to M/S S.SILAMBUSELVAN Advocate on payment of necessary charges SR.NO.14162

CRL OP.23571/2021

Date :07/12/2021

CSK 07/12/2021