



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

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

Crl.O.P.No.25499 of 2021

Katten

.. Petitioner

Vs.

State rep by
The Inspector of Police
Ponneri Police Station,
Thiruvallur District.
Crime No.603 of 2021

.. Respondent

PRAYER: Criminal Original Petition has been filed under Sections 439 of Cr.P.C praying to enlarge the petitioner on bail in connection with the Crime No.603 of 2021 on the file of the respondent.

For Petitioner : Mr.S.Seeenuvasan

For Respondent : Mr.A.Gokulakrishnan
Government Advocate

O R D E R

The petitioner who was arrested for the offences under Sections 294(b), 323, 324 506(2) and 307 of IPC, in Crime No.603 of 2021, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are friends. Due to misunderstanding, while the petitioner was in a inebriated condition, the petitioner assaulted the defacto complainant with knife, he sustained injuries and admitted in the hospital now discharged from the hospital. 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 a false case has been foisted against the petitioner. Hence, he would pray for grant of bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would raise objection stating that the petitioner was arrested based on the complaint filed by the defacto-complainant. Investigation is on in this regard.



5. Having considered the facts and circumstances of the case, the defacto complainant was discharged from the hospital, 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, Ponneri 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 Saturday 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.

-sd/-

23/12/2021

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,
NO. I, PONNERI

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
PONNERI POLICE STATION,
THIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, PONNERI

6 THE SUPERINTENDENT,
CENTRAL JAIL, PUZHAL, CHENNAI

CC to M/S. S. SEENUVASAN Advocate on payment of necessary
charges SR.NO.15584

CRL OP.25499/2021

Date :23/12/2021

RVR 23/12/2021