



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2022

CORAM:

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

Crl.O.P.No.3266 of 2022

Ajithkumar

..Petitioner

Vs.

State Rep by
The Inspector of Police,
Ranipet Police Station,
Ranipet District.
(Crime No.743 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.743 of 2021, pending on the file of the respondent police.

For Petitioner : Mr.B.Sundarapandian

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

ORDER

The petitioner who was arrested and remanded to judicial custody on 10.11.2021 for the offence under Sections 341, 294(b) and 307 of IPC, in Crime No.743 of 2021, on the file of the respondent police seeks bail.

2. The case of the prosecution is that at the Deepavali Festival at about 5.00 p.m., the petitioner voluntarily created trouble to the defacto complainant's husband with the drunken state of mind. The petitioner restrained the defacto complainant's husband and scolded him in filthy language and attacked him with knife all over his body and sustained blood injury. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and the charge sheet has already been filed. Hence, he would pray for grant of bail.



4. The learned Government Advocate (Crl.side) would raise strong objection stating that the petitioner was having four previous cases and he has been detained under Act 14 of 1982.

5. Considering the facts and circumstances of the case and also the submissions made by both counsel and also considering the period of incarceration undergone by the petitioner Act 14 Order also recorded and investigation was almost completed, this Court is inclined to grant bail subject to the following conditions:

(a) the petitioner is ordered to be released on bail on 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 District Munsif-cum-Judicial Magistrate, Ranipet, Ranipet District.**

(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., for a period of two months and thereafter as and when required for interrogation;**

(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/-
18/02/2022

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, RANIPET,
RANIPET DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
RANIPET POLICE STATION,
RANIPET DISTRICT

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S. B.SUNDARAPANDIYAN Advocate on payment of
necessary charges SR.NO.2599

CRL OP.3266/2022

Date :18/02/2022

TA-21/02/2022