



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2022

CORAM:

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

Crl.O.P.No.2116 of 2022

Manimaran

...Petitioner

Vs.

The State by  
The Inspector of Police,  
Vellavedu Police Station,  
Thiruvallur District.  
(Crime No.10 of 2022)

... 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.10 of 2022 pending investigation on the file of the Respondent police.

For Petitioner : Mr.R.Sasikumar

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

O R D E R

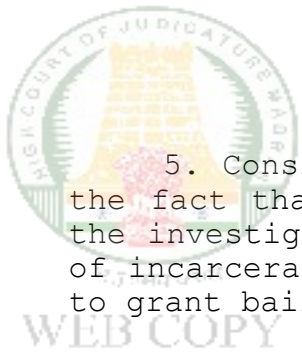
(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 17.01.2022 for the offences under Sections 147, 148, 294(b), 324, 506(ii) and 307 of IPC, in Crime No.10 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused assaulted the brother of the defacto complainant with knife. 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 he has been falsely implicated in this case and that he has been suffering incarceration for more than 15 days from 17.01.2022. Hence, he would pray for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioner has got one previous case but admits that the injured has been discharged from the hospital and the investigation is almost completed.



5. Considering the above facts and circumstances of the case and the fact that the injured 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.

(a) Accordingly, the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison, in which the petitioner has been confined and thereafter on his release;

(b) The petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Judicial Magistrate No.II, Poonamallee, within 15 days from the date of commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m. until further orders.

(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;

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

(h) on breach of any of the aforesaid conditions, the learned Judicial 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];

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



6. With the above directions, this Criminal Original Petition is ordered.

-sd/-

01/02/2022

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 JUDICIAL MAGISTRATE,  
NO.II, POONAMALLEE

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,  
VELLAVEDU POLICE STATION,  
THIRUVALLUR DISTRICT

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE JAILER,  
SUB JAIL, THIRUVALLUR

CC to M/S R.SASIKUMAR Advocate on payment of necessary charges

CRL OP.2116/2022

Date : 01/02/2022

RVR 02/02/2022