



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.Nos.6152 & 6189 of 2022

1.Dineshkumar
2.Venkatesh

... Petitioners in Crl.O.P.No.6152 of 2022

Vikramathithan

... Petitioner in Crl.O.P.No.6189 of 2022

Vs.

The State rep. by
The Inspector of Police,
Belukurichi Police Station,
Namakkal District.
(Crime No.14 of 2022)

... Respondent in both the Crl.O.P's

COMMON PRAYER: Criminal Original Petitions has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in Crime No.14 of 2022 on the file of the respondent police.

For Petitioners
in both the Crl.O.Ps : Mr.W.Camyles Gandhi

For Respondent
in both the Crl.O.Ps : Ms.G.V.Kasthuri
Additional Public Prosecutor

COMMON ORDER

The petitioners/A3, A4 and A5, who were arrested for the offences punishable under Sections 147, 148, 294(b), 323 & 307 of IPC in Crime No.14 of 2022, on the file of the respondent police, seek bail.

2.Due to the love affair, the son of the defacto complainant was attacked by these petitioners and others causing grievous injury. They were arrested on 14.02.2022. The injured victim was discharged from the hospital after taking treatment for mastoid depressed fracture and comminuted fracture on frontal cerebral convexity.



3. Learned Additional Public Prosecutor for the respondent submits that the injured victim is discharged from the hospital and the investigation is almost completed.

4. Considering the said fact and the prime accused, who was absconding has also been secured, this court is of the view that the petitioners may be granted bail subject to certain conditions. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions;

(a) Each of the petitioners shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate, Senthamangalam.

(b) 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;

(c) the petitioners in Cr1.O.P.6152 of 2022 are directed to stay at Erode District and report before Pallipalayam Police daily at 10.30 a.m. until further orders.

(d) the petitioner in Cr1.O.P.6189 of 2022 is directed to stay at Salem District and report before Fairland Police daily at 10.30 a.m. until further orders.

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

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



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

-sd/-

01/04/2022

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,
SENTHAMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BELUKURICHI POLICE STATION,
NAMAKKAL DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
/ STATION HOUSE OFFICER,
PALLIPALAYAM POLICE STATION,
ERODE DISTRICT.

7 THE INSPECTOR OF POLICE,
/ STATION HOUSE OFFICER,
FAIRLAND POLICE STATION,
SALEM DISTRICT.

+2 CC to M/S. W.CAMYLES GANDHI Advocate on payment of necessary charges SR.Nos.4746 & 4945

CRL OP.6152 & 6189/2022

Date :01/04/2022

JPA 04/04/2022