



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2022

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.Nos.6340 & 6380 of 2022

R.Predeesh @ Prabhu .. Petitioner in Crl.OP.No.6340 of 2022

1.Senthil

2.Govindan

..Petitioners in Crl.OP.No.6380 of 2022

Vs.

State rep. by

The Inspector of Police,

B1,Siva Kanchi Police Station,

Big Kancheepuram-631 502

(Crime No.256 of 2022)

.. Respondent

PRAYER: Criminal Original Petitions have been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail in connection with Crime No.256 of 2022 on the file of respondent police.

For Petitioner : Mr.Lalith Kumar
in Crl.O.P.No.6340 of 2022

For Petitioners : Mr.K.M.Balaji
in Crl.O.P.No.6380 of 2022

For Respondent : M/s.G.V.Kasthuri
In both the Crl.O.Ps Additional Public Prosecutor

COMMON O R D E R

The petitioners, who were arrested for the offences punishable under Sections 294(b), 324, 506(ii) and 307 of I.P.C. in Crime No.256 of 2022, on the file of the respondent police, seek bail.

2.The allegation against these petitioners is that on 04.03.2022 at about 12 noon, when defacto complainant was working in the Government liquor shop, the accused asked him to buy the liquor and thereafter to buy the chicken. After consuming the chicken, these petitioners abused the defacto complainant using filthy language stating that the chicken were of poor quality and attacked the defacto complainant using casuarina stick. Then petitioners attacked him with broken beer bottle and then made criminal intimidation against him. Therefore, this case.



3. Learned counsel for the petitioners submitted that the petitioners are innocent and they are falsely implicated in this case. There is no injury on the defacto complainant. They are in custody from 05.03.2022.

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4. Learned Additional Public Prosecutor appearing for the respondent reported that the defacto complainant has not suffered any injury.

4. Considering the fact that there was no injury on the defacto complainant and these petitioners are in custody from 05.03.2022, this Court grants bail to the petitioners herein and they 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.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate -I, Kancheepuram.

(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 are directed to report before the respondent police station daily for a period of 30 days at 10.00 a.m. until further orders.

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

(e) 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];

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

-sd/-

18/03/2022

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.I, KANCHEEPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE JAILER, SUB JAIL,
KANCHEEPURAM

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
SIVA KANCHI POLICE STATION,
BIG KANCHEEPURAM-631 502.

CC to M/S.LALITH KUMAR Advocate on payment of necessary charges
Sr.4162

CC to M/S.K.M.Balaji Advocate on payment of necessary charges
Sr.4185

CRL OP.Nos.6340 & 6380 of 2022

Date :18/03/2022

RVR 18/03/2022