



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.9447 of 2022

M.Radhakrishnan

.. Petitioner

Vs.

The State of rep. by
The Sub-Inspector of Police,
Pallapatty Police Station,
Salem District.
(Crime No.154 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.154 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Parthasarathy

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner, who was arrested on 24.03.2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.154 of 2022, on the file of the respondent police, seeks bail.

2.It is a case and case in counter, wherein the case against this petitioner was registered in Crime No.154 of 2022 dated 24.03.2022. It is alleged that this petitioner attacked one Kathirvelu and attempted to squeeze his testicles. The said occurrence is alleged to have occurred on 21.03.2022 whereas the F.I.R. Registered on 24.03.2022. The injury sustained by the said Kathirvelu and the complaint is given by the brother of Kathirvelu.

3.Learned counsel for the petitioner would state that it is the defacto complainant and his brother Kathirvelu, who attacked the petitioner herein and caused his bodily injury for which a case in



Crime No.155 of 2022 has been registered and this complaint has been registered only to counter blast the complaint of the petitioner.

4. Considering the above said fact, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner 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 learned Judicial Magistrate -II, Salem;

(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 petitioner is directed to report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner 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/-

26/04/2022

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,
NO.II, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]



3 THE SUB INSPECTOR OF POLICE,
PALLAPATTY POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

+1 CC to M/S.S.PARTHASARATHY Advocate on payment of necessary
charges SR.NO. 6218

CRL OP.9447/2022

Date :26/04/2022

RW 27/04/2022