



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 11.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

Cr1.OP.No.11048/2022

Keeri @ Shanmuga Sundaram

... Petitioner / A3

Vs

State Inspector of Police,
H6 R.K. Nagar Police Station,
Chennai.

... Respondent

Prayer:- Petition filed under Section 439 of Cr.P.C., to enlarge the petitioner on bail pending investigation in Crime No.157 of 2022 on the file of the respondent police.

For Petitioner : Mr.S.Senthilvel

For Respondent : Mr.L.Baskaran
Government Advocate
[Cr1.Side]

ORDER

- (1)The petitioner/A3, who was arrested and remanded to judicial custody on 07.03.2022 for the alleged offences punishable under Sections 341, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.157 of 2022 on the file of the respondent police, seeks bail.
- (2)The case of the prosecution is that on 06.03.2022 on account of wordy quarrel, the accused persons including the petitioner herein attacked the defacto complainant with knife and hands causing injuries and resulting in registration of the case.
- (3)The learned counsel for the petitioner would submit that the petitioner who is arrayed as A1 out of 3 accused, is an innocent person and he is no way connected with the offence. It is further submitted that the injured defacto complainant is discharged from the hospital. It is also the submission of the learned counsel that



the petitioner that the other accused, namely, Vasanth and Udhaya Kumar @ Karuppu Udhaya, were released on bail by the Court below in CrI.MP.No.4055/2022 dated 24.03.2022 and CrI.MP.No.4358/2022 dated 28.03.2022. Learned counsel also submitted that the petitioner is undergoing incarceration for a period of 65 days and prays for enlargement of the petitioner on bail.

(4)The learned Government Advocate(CrI.Side) appearing for the respondent would submit that totally there are 3 accused and the petitioner is arrayed as A1. Though the learned Government Advocate [CrI.Side] strongly opposes for grant of bail to the petitioner on the ground of the involvement of the petitioner in 15 previous cases, he admits that the injured was discharged from the hospital. Learned Government Advocate [CrI.Side] also submits that the investigation is pending.

(5)Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured was discharged from the hospital and that the co-accused Vasanth and Udhaya Kumar @ Karuppur Udhaya were released on bail by the Court below on 24.03.2022 and 28.03.2022 respectively in CrI.MP.Nos.4055 and 4358/2022 and also taking into consideration the period of incarceration, this Court is inclined to grant bail to the petitioner.

(6)Accordingly, the petitioner is ordered to be released on bail on his executing 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 XV M.M. George Town, Chennai and on further condition that:

[a] 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.

[b] the petitioner shall report before the respondent police once in two weeks at 10.30 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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/-
11/05/2022

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 METROPOLITAN MAGISTRATE,
NO.XV, GEORGE TOWN, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
H-6 R.K.NAGAR POLICE STATION,
CHENNAI

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL-II, CHENNAI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SENTHILVEL Advocate on payment of necessary charges SR.NO.6994

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Date :11/05/2022

JPA 11/05/2022