



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.11702 of 2022

ULAGANATHAN

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE STATION HOUSE OFFICER,
MUTHANDIKUPPAM POLICE STATION,
CUDDALORE DISTRICT.
(CRIME NO.217/2022)

[RESPONDENT]

For Petitioner : M/S K.GANDHI KUMAR Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody on 10.04.2022, for alleged offences under Sections 294(b), 323, 324, 506 (ii), 307 and 420 of IPC, seeks bail.

2. The case of the prosecution is that A3 had introduced to the defacto complainant to A1 and A2 and the defacto complainant had paid a sum of Rs.1.69 Lakhs on the promise that the petitioner will supply Copper and Iridium. The defacto complainant is said to have been taken to the place of A1 along with other two accused persons. There seems to have been a dispute in that place and the defacto complainant is said to have been attacked by the accused persons all over his body. He sustained laceration on the temporal region and abrasions all over the body.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.



4. In this case there are totally three accused persons and the petitioner has been arrayed as A1. The learned Additional Public Prosecutor submitted that A3 is still absconding and he is yet to be secured and there are two previous cases against the petitioner for offences under sections 294(b), 323, 324, 506(ii), 307 and 420 of IPC. It was also brought to the notice of this Court that the defacto complainant has been discharged after he was given treatment.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has already suffered incarceration for nearly 43 days and the defacto complainant has already been discharged from the hospital and the previous bail petition was dismissed as withdrawn, this Court did not go into the merits of the case, this Court is inclined to enlarge the petitioner on bail with certain conditions;

6. Accordingly, the petitioner is ordered to be released on bail on his executing 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 No.1, Panruti and on further conditions 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 learned Judicial Magistrate No.1, Panruti on every Monday until further orders and shall report before the respondent police on every Friday at 6.30 p.m, until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond 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 petitioners 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.

WEB COPY

-sd/-

23/05/2022

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 JUDICIAL MAGISTRATE,
NO.I, PANRUTI, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE STATION HOUSE OFFICER,
MUTHANDIKUPPAM POLICE STATION,
CUDDALORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S K.GANDHI KUMAR Advocate on payment of necessary charges SR.No.7765

CRL OP.11702/2022

Date :23/05/2022

CSK 24/05/2022