



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.12187 of 2022

A.ABI @ ABIMANYU

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
B-6, MAPPEDU POLICE STATION,
TIRUVALLUR TALUK, AND DISTRICT.
CRIME NO.35 OF 2022.

[RESPONDENT]

For Petitioner : M/S.T.R.SHANMUGAM, Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 23.02.2022 for the alleged offence under Sections 341, 294 (b), 307 and 506(ii) of I.P.C read with Section 25(1A) of Arms Act, 1959 in Crime No.35 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner assaulted the de-facto complainant with a knife and also abused him in a filthy language and caused threat to him. There are two previous cases against the petitioner and in fact, the petitioner was detained under Act 14 of 1982 by a Detention Order dated 22.03.2022 and Detention Order was revoked by proceedings dated 06.05.2022.

3. Heard Mr.M.Santhosam, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor (Crl.Side) appearing for the respondent.



4. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioner had already suffered incarceration for nearly 89 days and the de-facto complainant was not injured in the alleged incident and the petitioner was already detained under Act 14 of 1982 and the Detention Order was also revoked by proceedings dated 06.05.2022, this Court is inclined to enlarge the petitioner on bail by subjecting him to stringent conditions.

5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties, out of which, one surety should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate II Thiruvallur, Thiruvallur 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 II Thiruvallur, Thiruvallur on every Monday at 10.30 a.m. until further orders.**

[c] the petitioner shall report before the **respondent police on every Friday at 06.30 p.m. until further orders.**

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

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

[f] 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 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/-

23/05/2022

WEB COPY

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, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
B-6, MAPPEDU POLICE STATION,
TIRUVALLUR TALUK AND DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

+1 CC to M/S. M.SANTHOSAM Advocate on payment of necessary charges SR.NO.7748

CRL OP.12187/2022

Date :23/05/2022

TA-24/05/2022