



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.11858 of 2022

1 MATHAIYAN
2 SATHYANARAYANAN

[PETITIONERS / ACCUSED]

Vs

STATE BY
THE INSPCTOR OF POLICE,
DHARMAPURI POLICE STATION,
DHARMAPURI DISTRICT.
(CRIME NO.244 OF 2022)

[RESPONDENT]

For Petitioner : M/S.A.P.SATHYAMURTHY 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 petitioners, who were arrested and remanded to judicial custody on 18.04.2022 for the alleged offence under Sections 147, 148, 341, 294(b), 323, 324 and 506 (ii) of I.P.C altered into 147, 148, 341, 294(b), 323, 324, 506(ii) and 307 of IPC in Crime No.244 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the de-facto complainant boarded a bus and he requested A1 to give a seat to enable him to sit. A wordy quarrel arose between the de-facto complainant and A1. As a consequence to this incident, the other accused persons waylaid the de-facto complainant and are said to have attacked him with wooden logs. The defacto-complainant sustained serious injuries and he took treatment and he was discharged from the hospital on 09.04.2022. There are totally ten accused persons in this case and the petitioners are arrayed as A2 and A3.



3. Heard Mr.A.P.Sathyamurthy, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor (Crl.Side) for the respondent Police.

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4. Taking into consideration the facts and circumstances of the case and also of the fact that the petitioners do not have any previous case against them and the petitioners had already suffered incarceration for nearly 35 days and the injured had already been discharged from the hospital, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate - I, Dharmapuri 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 petitioners shall report before the respondent police as and when required.

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

[d] the petitioners 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 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/-

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.



1 THE JUDICIAL MAGISTRATE,
NO. I, DHARMAPURI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI.

4 THE INSPECTOR OF POLICE,
DHARMAPURI POLICE STATION,
DHARMAPURI DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.A.P.SATHYAMURTHY Advocate on payment of necessary
charges

CRL OP.11858/2022

Date :23/05/2022

RW-24/05/2022