



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.11650 of 2022

V.SANKAR

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
PARAMATHI POLICE STATION,
NAMAKKAL DISTRICT.
CRIME NO.57 OF 2022.

[RESPONDENT]

For Petitioner : M/S.DEEPAN UDAY Advocate

For Respondent : M/S. RAJ THILAK, Govt. Advocate (Crl. Side)

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 05.04.2022, for alleged offences under Sections 147, 148, 294(b), 323 324, 307 and 506 (ii) of IPC, in Crime No.57 of 2022 seeks bail.

2. The case of the prosecution is that there was a dispute between the parties and both the parties seem to have attacked each other resulting in the registration of case in counter. The counter case has been registered in Crime No.58 of 2022 for the alleged offences under Sections 147, 148, 294(b), 323 324, 307 and 506 (ii) of IPC. In this case, there are totally eight accused persons and the petitioner has been arrayed as A8.

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

4. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner has already suffered incarceration for nearly 48 days and there are no previous cases against the petitioner, this Court is inclined to grant bail to the petitioner on certain 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, each for a like sum to the satisfaction of the learned Judicial Magistrate-Paramathi, Namakkal District 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 respondent police as and when required for interrogation.

[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.

-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,
PARAMATHI, NAMAKKAL DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL (FOR INFORMATION)

3 INSPECTOR OF POLICE
PARAMATHI POLICE STATION,
NAMAKKAL DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

CC to M/S.DEEPAN UDAY Advocate on payment of necessary charges

CRL OP.11650/2022

Date :23/05/2022

RVR 24/05/2022