



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M. NIRMAL KUMAR

CRIMINAL ORIGINAL PETITION No.12461 of 2022

1 VIJAYAN
2 PREMNATH

[PETITIONERS / ACCUSED]

Vs

THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
PERALAM POLICE STATION,
TIRUVARUR DISTRICT.
(CRIME NO.247 OF 2022)

[RESPONDENT]

For Petitioner : M/S.MR.N.PALANIVEL Advocate

For Respondent : M/S.A.DAMODARAN, 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 28.04.2022 & 29.04.2022 respectively for the alleged offences under Sections 294(b), 341, 324, 506(ii) & 307 of IPC in Crime No.247 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 27.04.2022, there was a dispute between the petitioner and the defacto complainant due to which, the petitioner had assaulted the defacto complainant with knife on the right and left shoulder of the defacto complainant. Thereafter, the defacto complainant sustained injuries and got admitted in the hospital. Hence, the case.

3.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.



4. The learned Additional Public Prosecutor brought to the notice of this Court that now the defacto complainant got discharged from the hospital.

5. Taking into consideration of the facts and circumstances of this case and also of the fact that the defacto complainant had discharged from the hospital, this Court is inclined to enlarge the petitioners on bail subject to imposing conditions.

6. Accordingly, the petitioners are ordered to be released on bail on each of them 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 District Munsif cum Judicial Magistrate, Nannilam, Tiruvarur 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 petitioners shall report before the respondent police daily at 10.30 a.m, for a period of two weeks.

[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 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
25/05/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NANNILAM,
TIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, NANNILAM,
TIRUVARUR DISTRICT.

4 THE INSPECTOR OF POLICE,
PERALAM POLICE STATION,
TIRUVARUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.MR.N.PALANIVEL Advocate on payment of necessary
charges SR.NO. 7826

CRL OP.12461/2022

Date :25/05/2022

RW-25/05/2022