



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.OP.Nos.12824 & 13237 of 2022

Crl.OP.No.12824 of 2022

1.Arokiya Arulnath
2.Crithuraj

..Petitioners

Vs.

State by
The Inspector of Police,
Elavanasurkottai Police Station,
Villupuram District
crime No.109 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in crime No.109 of 2022
pending investigation on the file of the respondent police.

For Petitioners : Mr.D.Ashokkumar

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

Crl.OP.No.13237 of 2022

V.Jaison

..Petitioner

Vs.

State by
The Inspector of Police,
Elavanasurkottai Police Station,
Villupuram District
crime No.109 of 2022

..Respondent



Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.109 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.D.Ashokkumar
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

COMMON ORDER

The petitioners, who were arrested and remanded to judicial custody on 14.05.2022 for the offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) & 307 of IPC in crime No.109 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that due to election enmity between the petitioners and the defacto complainant, a wordy quarrel arose between them and at that time, they attacked the defacto complainant, wherein the defacto complainant sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the occurrence day, the defacto complainant was attacked by the petitioners, thereby the defacto complainant sustained simple injuries. He would further submit that the defacto complainant has been discharged from the hospital. However, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case and the period of incarceration by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) (each) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Ulundurpet, Villupuram 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 stay at Chennai and report before the Inspector of Police, Egmore Police Station, Chennai daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter report before the respondent police as and when required for interrogation

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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 abscond, a fresh FIR can be registered under Section 229A IPC.

-sd/-

09/06/2022

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, ULUNDURPET, VILLUPURAM DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL JAIL, CUDDALORE.

4 THE INSPECTOR OF POLICE,
ELAVANASURKOTTAI POLICE STATION,
VILLUPURAM DISTRICT.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
EGMORE POLICE STATION,
CHENNAI.

+2 CC to M/S. D.ASHOKKUMAR Advocate on payment of necessary
charges SR.NOs. 8745 & 8746

CRL OP.NOs.12824 & 13237/2022

Date :09/06/2022

RW-09/06/2022