



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

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

Crl.OP.No.12840 of 2022

1.Perumal
2.Nagammal
3.Parthipan

..Petitioners

Vs.

The State represented by
The Inspector of Police,
Nagavalli Police Station,
Salem District
Crime No.112 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in the above said crime No.112 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Dineshkumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.04.2022 for the offences punishable under Sections 294(b), 324 & 506(ii) altered into Sections 294(b), 324, 307 & 506(ii) of IPC in crime No.112 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that the petitioners and the defacto complainant are relatives and in respect of selling the land there was a dispute. On the occurrence day, the petitioners attacked the defacto complainant's husband, wherein A2 attacked him with stick on his right shoulder and A1 attacked with iron rod causing head injury. 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 seeks for grant of bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that initially the injured was admitted in a Government Hospital and discharged on 05.05.2022. However, he was again admitted in private hospital on 18.05.2022. Hence, he vehemently opposed to grant bail to the petitioners.

5.Considering the above facts and circumstances of the case, 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.I, Mettur, Salem 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 Villupuram and report before the Inspector of Police, Villupuram Taluk Police Station, Villupuram daily at 10.30 a.m. and 05.30 p.m. until further orders.

[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/-

07/06/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.I, METTUR, SALEM

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM(FOR INFORMATION)

3 INSPECTOR OF POLICE,
NAGAVALLI POLICE STATION,
SALEM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM

6 THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICOE STATION,
VILLUPURAM

CC to M/S R.DINESHKUMAR Advocate on payment of necessary
charges Sr.8501

CRL OP.12840/2022

Date :07/06/2022

RVR 08/06/2022