



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

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

Cr1.OP.No.13904 of 2022

Johnson @ Johnson Rajan

..Petitioner/A7

Vs.

State rep.by,
Inspector of Police,
Elavanasoorkottai Police Station,
Kallakurichi District
crime No.110 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.110 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.A.G.Rajan

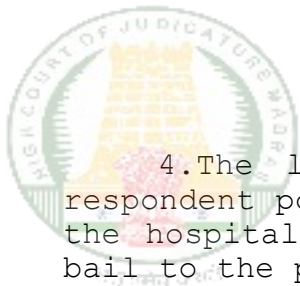
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.05.2022 for the offence punishable under Sections 147, 148, 294(b), 324, 341, 307 and 506(ii) of IPC in crime No.110 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the petitioner along with other accused persons formed an unlawful assembly armed with deadly weapons and assaulted the defacto complainant and others on 09.05.2022 at about 10.00 a.m.due to previous enmity. Hence,the case.

3. The learned counsel appearing for the petitioner would submit that it is a case in counter. On the previous day, i.e. on 08.05.2022 at about 3.45 p.m., the defacto complainant and his men formed an unlawful assembly armed with deadly weapons and assaulted the petitioner's brother and his relatives brutally, thereby they sustained injuries. Therefore a case was registered in crime No.109 of 2022 for the offences under Sections 147,148,294(b),324and 506(ii) of IPC against them. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the injured has been discharged from the hospital on 12.06.2022. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering that the injured has been discharged from the hospital and it is a case in counter, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate-1, Ulundurpet 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 daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter report before the respondent police as and when required for interrogation.

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

[d] the petitioner 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 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/-

21/06/2022

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

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
ELAVANASOORKOTTAI POLICE STATION,
ELVANASOORKOTTAI,
KALLAKURICHI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE

CC to M/S.A.G.RAJAN Advocate on payment of necessary charges
SR.NO.9620

CRL OP.13904/2022

Date :21/06/2022

RVR 21/06/2022