



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

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

Crl.OP.No.14015 of 2022

1.Balaji

2.Sudha @ Sudhakar

..Petitioners/A2 & 3

Vs.

The State represented by
Inspector of Police,
J-7 Velachery Police Station,
Chennai District
crime No.250 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in crime No.250 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.R.Parthiban

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 06.05.2022 for the offence punishable under Sections 341, 427, 336 and 307 of IPC in crime No.250 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that on 05.05.2022, there was a quarrel between the defacto complainant and the accused persons. At that time, the defacto complainant was attacked and caused injuries. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that only the defacto complainant's friends came with deadly weapons and tried to attacked the petitioners. Therefore, the petitioners defended themselves. Hence, he prays to grant bail to the petitioners.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the injured has been discharged from the hospital on 08.05.2022. He would further submit that the petitioners are arrayed as A2, who has six previous cases and A3, who has no previous cases.

5. Considering the above facts and circumstances of the case and also considering that the injured has been discharged from the hospital, 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) with two sureties, each for a like sum to the satisfaction of the XVII Metropolitan Magistrate, Chennai 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 Kallakurichi and report before the Inspector of Police, Kallakurichi Police Station, Kallakurichi daily at 10.30 a.m. and 05.30 p.m. for a period of four 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/-

20/06/2022

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 METROPOLITAN MAGISTRATE,
NO.XVII, CHENNAI.

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE, CHENNAI. [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI,
CHENNAI.

4 THE INSPECTOR OF POLICE,
J-7 VELACHERY POLICE STATION,
CHENNAI DISTRICT.

5 THE INSPECTOR OF POLICE,
KALLAKURICHI POLICE STATION,
KALLAKURICHI.

6 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.R.PARTHIBAN Advocate on payment of necessary
charges SR.NO. 9576

CRL OP.14015/2022

Date :20/06/2022

RW-20/06/2022