



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

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

CrI.OP.No.13950 of 2022

Prabhakaran

..Petitioner/A3

Vs.

The State rep. by
Inspector of Police,
Ariyoor Police Station,
Vellore District
crime No.117 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.117 of 2022 pending investigation on the file of the respondent police.

For Petitioner : Mr.M.R.Thangavel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.06.2022 for the offence punishable under Sections 147, 148, 448, 427, 294(b), 323, 324, 307 and 506(ii) of IPC in crime No.117 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that the defacto complainant and the petitioner are relatives and they belong to different political group. Due to political enmity, on the date of occurrence they assaulted each other, thereby four persons were injured. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that during occurrence, the petitioner also sustained injuries and there is a case in counter. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police would submit that during the occurrence, four persons injured, out of which, three were discharged from hospital and one person is still taking treatment in the hospital. He would further submit that there is a case in counter also.

5. Considering the above facts and circumstances of the case and also considering that there 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-I, Vellore 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.

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-sd/-
17/06/2022

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-I,
VELLORE.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ARIYOOR POLICE STATION,
VELLORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, THORAPADI, VELLORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.R.THANGAVEL Advocate on payment of necessary charges SR.No.9461

CRL OP.13950/2022

Date :17/06/2022

CSK 17/06/2022