



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2022

CORAM

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

Crl.OP.No.14552 of 2022

1.Ajay
2.Loganathan

..Petitioners/A3 & 4

Vs.

State rep.by
The Inspector of Police,
Needamangalam Police Station,
Tiruvarur District
crime No.97 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.97 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.N.Palanivel

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 17.05.2022 for the offence punishable under Sections 147, 148, 294(b), 429, 324, 307 and 506(ii) of IPC in crime No.97 of 2022 on the file of the respondent police, seek bail.

2. It is the case of the prosecution that on the date of occurrence, the accused persons attempted to commit murder of the victim with deadly weapon and the victim sustained injury on a cheek. 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 there are totally five accused, in which the petitioner are arrayed as A3 and A4. On the occurrence day, there was a wordy quarrel, at that time, the accused persons attacked the defacto complainant in respect of taking away goat and caused injuries. He would further submit that the injured has been discharged from the hospital on 13.05.2022. However, he vehemently opposed to grant bail to the petitioners.

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 blood related sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Needamangalam 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 report before the respondent police 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/-

24/06/2022

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 DISTRICT MUNSIF-CUM
JUDICIAL MAGISTRATE, NEEDAMANGALAM.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NEEDAMANGALAM POLICE STATION,
TIRUVARUR DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHIRAPPALLI.

+1 CC to M/S.N.PALANIVEL Advocate on payment of necessary
charges SR.NO.9870

CRL OP.14552/2022

Date :24/06/2022

TA-24/06/2022