



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2022

CORAM

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

CrI.OP.No.15654 of 2022

1.Imran
2.Askar
3.Sheik Dawood

..Petitioners/ A1 to 3

Vs.

State Rep by
The Inspector of Police
Tiruppur - North Police Station,
Tiruppur City
crime No.673 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.673 of 2022 pending investigation on the file of the respondent police.

For Petitioners : Mr.J.Franklin

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 23.06.2022 for the offences punishable under Sections 294 (b), 324, 307, 427 & 506(ii) of IPC in crime No.673 of 2022 on the file of the respondent police, seek bail

2. The case of the prosecution is that the defacto complainant is running a street food shop in P.N.Road. Prior six months to occurrence, there was a wordy quarrel between A1 and the defacto complainant. Therefore, on the date of occurrence i.e. 22.06.2022, the petitioners 1 to 3 came to the defacto complainant's shop and ordered paratta. When there was a delay in serving the same, there arose a wordy quarrel, at that time the petitioners attacked the defacto complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely



implicated in this case. He would further submit that when the petitioners and their friends casually went to the shop for having dinner, the defacto complainant and his brother purposely insulted the petitioners and there was a wordy quarrel. Further, the defacto complainant only tried to attack the petitioners. Hence, he seeks for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the injured was discharged from the hospital on 25.06.2022. 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 sureties, out of which one shall be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tiruppur 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 Salem and report before the Inspector of Police, Attur Police Station, Salem daily at 10.30 a.m. and 05.30 p.m. for a period of two weeks and thereafter 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/-

07/07/2022

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, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
TIRUPPUR NORTH POLICE STATION,
TIRUPPUR CITY.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
DISTRICT JAIL, TIRUPPUR

6 THE INSPECTOR OF POLICE,
ATTUR POLICE STATION, SALEM

CC to M/S.J.FRANKLIN Advocate on payment of necessary charges
Sr.10882

CRL OP.15654/2022

Date :07/07/2022

RVR 07/07/2022