

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2022

CORAM

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

Cr1.O.P.No.16016 of 2022

Senthil

... Petitioner

Vs.

State, Rep. by
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai.

Crime No.517 of 2022

... Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, in the case pending investigation in Crime No.517 of 2022 on the file of the Respondent Police.

For Petitioner : Mr.V.Saravanan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 23.06.2022 for the offence under Sections 341, 294(b), 307 and 506(ii) of IPC, in Crime No.517 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 23.06.2022, at about 10.15.a.m., the petitioner waylaid the defacto complainant and abused with filthy language and also attacked with knife, due to which, the defacto complainant sustained severe injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 23.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that the injured person has been discharged from the hospital on 27.06.2022. He further submits that apart from this case, there is one previous case is pending as against the petitioner. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 23.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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 Court, Thiruvottiyur 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 stay at Ariyalur and report before the Ariyalur Town Police Station daily at 10.30 a.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/-
11/07/2022

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,
THIRUVOTTIYUR

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
H8, THIRUVOTTIYUR POLICE STATION,
CHENNAI.

4 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAI, CHENNAI

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE INSPECTOR OF POLICE,
ARIYALUR TOWN POLICE STATION, ARIYALUR

+1 CC to M/S.V.SARAVANAN Advocate on payment of necessary charges SR.NO.11098

CRL OP.16016/2022

Date :11/07/2022

JPA 11/07/2022