



Crl.O.P.No.16401 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2022

CORAM

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

Crl.O.P.No.16401 of 2022

1. Janakiraman
2. Shaik Mohideen
3. Kanniya Joseph

...Petitioners

Vs.

State rep. by
The Inspector of Police,
Choolaimedu Police Station,
Chennai.
Crime No.233 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail pending investigation in Crime
No.233 of 2022 pending on the file of respondent police.

For Petitioners : Mr.R.Parthiban

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.07.2022 for the offences punishable under Sections **294(b), 324, 307, 506(ii) IPC** in crime No.233 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to previous enmity, the petitioners abused the defacto complainant using filthy language and assaulted with knife, due to which, the defacto complainant sustained grievous injuries and admitted in the hospital. 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. That apart, the petitioners have been suffering incarceration from 04.07.2022. Therefore, he prays to grant anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor would submit that the injured victim has been discharged from the hospital. However, he opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case and also the period of incarceration undergone by the petitioners from the date of arrest ie., from 04.07.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their executing 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 **Metropolitan Magistrate, No.XVII, Saidapet** 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.



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[b] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter 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 absconds, a fresh FIR can be registered under Section 229A IPC.

15.07.2022

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To

1. Metropolitan Magistrate, No.XVII,
Saidapet
- 2.The Inspector of Police,
Choolaimedu Police Station,
Chennai.
3. Central Prison,
Puzhal.
- 4.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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