



Crl.O.P.No.16383 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.16383 of 2022

Suresh

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Sipcot Police Station,
Ranipet District.
Crime No.190 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.190 of 2022 on the file of respondent police.

For Petitioner : Mr.T.Muruganantham

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 01.07.2022 for the offences punishable under Sections **294(b) and 307 for IPC** in crime No.190 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to family dispute, the petitioner abused the defacto complainant using filthy language and assaulted with cricket bat on head, due to which, the defacto complainant sustained grievous injuries and admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner has been suffering incarceration from 01.07.2022. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that



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the injured victim has been discharged from the hospital. However, he opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration undergone by the petitioner from the date of arrest ie., from 01.07.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner are ordered to be released on bail on his 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 **Judicial Magistrate No.II, Walaja** 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 petitioner 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 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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To

1. Judicial Magistrate No.II, Walaja
2. The Inspector of Police,
Sipcot Police Station,
Ranipet District.
3. Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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