



Crl.OP.No.16630 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2022

CORAM

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

Crl.OP.No.16630 of 2022

Prasanth

..Petitioner/A1

Vs.

State represented by Inspector of Police,
H-5 New Washermenpet Police Station,
Chennai.
(Crime No.325 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.325 of 2022 on the file of the Respondent Police.

For Petitioner : Mr.S.Saravan Kumar

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 06.05.2022 for the offence under Sections 341, 307, 506(ii) of



CrI.OP.No.16630 of 2022

IPC in crime No.325 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, this petitioner along with other accused waylaid the *de-facto* complainant and attacked him with deadly weapons and caused grievous injuries to him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 06.05.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused persons attacked the *de-facto* complainant causing grievous injuries and the injured has been discharged from the hospital on 24.05.2022. He would further submit that the petitioner is having eight previous cases of similar IPC offences. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



CrI.OP.No.16630 of 2022

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5. Considering the above facts and circumstances of the case, and also the period of incarceration of the petitioner from the date of his arrest i.e. 06.05.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the 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 XV Metropolitan Magistrate, George Town** 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 Krishnagiri and report before the Inspector of Police, Krishnagiri Town Police Station twice daily at 10.30 a.m. and 5.30 p.m. for period of four weeks and thereafter report before the respondent police daily at 10.30 a.m., until further orders.

[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



CrI.OP.No.16630 of 2022

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.

18.07.2022

mpl



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Crl.OP.No.16630 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The XV Metropolitan Magistrate,
George Town.
- 2.The Inspector of Police,
H-5 New Washermenpet Police Station,
Chennai.
- 3.Puzhal Prison,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.16630 of 2022

18.07.2022