



WEB COPY



CrI.OP.No.17830 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2022

CORAM

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

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1.Vijay
2.Raghu

...Petitioners

Vs.

State rep by
Inspector of Police,
Kelamangalam Police Station,
Krishnagiri District.
Crime No. 142/2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail arrest in pending investigation in
connection with the Crime No.142/2022 on the file of the Inspector of
Police, Kelamangalam Police Station, Krishnagiri.

For Petitioners : Mr.G.Mohammed Aseef
For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 14.06.2022 for the offences punishable under Section 307 of
IPC in crime No.142 of 2022 on the file of the respondent police, seeks



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bail.

2. The case of the prosecution is that, on 10.06.2022, the petitioners in a drunken mood waylaid and attacked the *de-facto* complainant's husband using beer bottle. Thereby, the victim sustained grievous injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners were arrested and remanded to judicial custody on 14.06.2022. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured was discharged from hospital on 04.07.2022. However, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of



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their arrest i.e., 14.06.2022, 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Denikanikottai**, 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 Kalpakkam and report before the Inspector of Police, Kalpakkam Police Station twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.m. for a period of four 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.**



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State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Denikanikottai.
- 2.The Inspector of Police,
Kelamangalam Police Station,
Krishnagiri District.
- 3.Sub - Jail,
Hosur.
- 4.The Public Prosecutor,
High Court of Madras

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