



WEB COPY



Crl.OP.No.17047 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

Crl.OP.No.17047 of 2022

Gourav @ Gouravkumar

...Petitioner

Vs.

State represented by the Inspector of Police,
Perumanallur Police Station,
Tiruppur.
(Crime No.195 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No. 195 of 2022 on the file of the respondent police.

For Petitioner : Mr.J.Franklin

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 12.05.2022 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 326 & 506(ii) of IPC @ 147, 148, 294(b), 307, 323 & 506(ii) of IPC @ 147, 148, 294(b), 307, 323, 506(ii) and 302 of



CrI.OP.No.17047 of 2022

IPC in crime No.195 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was wordy quarrel between the *de-facto* complainant and others with the accused persons in a Tasmac Shop. Due to which, the accused person were alleged to have attacked the *de-facto* complainant and others using beer bottles and wooden log. Hence, the complaint.

3. There are totally seven accused. Admittedly, there was a wordy quarrel between the petitioner's group and the *de-facto* complainant's group in the Tasmac Bar. Due to which, they attacked each others, in which one person died.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his arrest i.e.12.05.2022, 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)**



CrI.OP.No.17047 of 2022

with **two blood related sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate - Avinashi**, 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 Ulundurpettai and report before the Inspector of Police, Ulundurpettai 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 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]**.



CrI.OP.No.17047 of 2022

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

25.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Avinashi.
- 2.The Inspector of Police,
Perumanallur Police Station,
Tiruppur.
- 3.Central Prison,
Coimbatore.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.17047 of 2022

25.07.2022