



CrI.OP.No.17156 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

CrI.OP.No.17156 of 2022

1.Ravi
2.Kumar
3.Dharaneesh Babu
4.Umasankar

...Petitioners

Vs.

The State Represented by
The Inspector of Police,
Pernambut Police Station,
Pernambut,
Vellore District.
(Crime No.265 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on Bail, concerned in Crime Number
265 of 2022 (on the file of the respondent police).

For petitioners : M/s.K.Anushiya

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

ORDER

The petitioners, who were arrested and remanded to judicial



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custody on 06.06.2022 for the offences punishable under Sections 294(b), 323 and 302 of IPC in crime No.265 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a property dispute between the petitioners and the *de-facto* complainant's family. In subsequent to that, the *de-facto* complainant's father died by way of hanging on 04.06.2022 and therefore, the *de-facto* complainant's mother quarrelled with the petitioners family, in which the petitioners assaulted the *de-facto* complainant's mother on cheek. Due to which, she lost her eyesight and subsequently died on 06.06.2022. Hence, the complaint.

3. The petitioners are family members. There was a dispute between the petitioners group and the *de-facto* complainant's group in respect of a property. Due to which, the petitioners attacked the deceased by hands. Therefore, she sustained injuries on eyes and admitted in the hospital. Unfortunately, she died in the hospital.

4. Considering the above facts and circumstances of the case



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and also the period of incarceration by the petitioners from the date of their arrest i.e.06.06.2022, 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 **Judicial Magistrate Court, Gudiyatham**, 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m., until further orders.

[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.

25.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate Court,
Gudiyatham.
- 2.The Inspector of Police,
Pernambut Police Station,
Pernambut,
Vellore District.
- 3.Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras

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