



WEB COPY



CrI.OP.No.17312 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.17312 of 2022

M.Prabhu

...Petitioner

Vs.

State: Rep. By
The Inspector of Police,
Bangalapudur Police Station,
Erode District.

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.240 of 2022 on the file of The Inspector of Police, Bangalapudur Police Station, Erode District.

For Petitioner	: Mr.R.Muthukumar
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2022 for the offences punishable under Sections 294(b), 323, 506(ii) and 307 of IPC in crime No.240 of 2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that there was a money dispute between the A1 and the *de-facto* complainant, where the petitioner along with co-accused assaulted and caused injury to the *de-facto* complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 02.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured was discharged from hospital on 11.07.2022. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner, 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 sureties**, each for a



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like sum to the satisfaction of the **learned Judicial Magistrate I, Gobichettipalayam,** 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 report before the respondent police twice daily at 10.30 a.m. and 5.30 p.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]**.

[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 I,
Gobichettipalayam.
- 2.The Inspector of Police,
Bangalapudur Police Station
Erode District.
- 3.District Prison,
Gobichettipalayam.
- 4.The Public Prosecutor,
High Court of Madras.

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