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CrI.OP.No.17245 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.17245 of 2022

Abdul Rahman @ Selvaraj

...Petitioner

Vs.

State, Rep. by
The Sub-Inspector of Police,
Perambalur Police Station,
Perambalur District.
(Crime No.479 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 of the case in the Crime No. 479 of 2022 on the file of the respondent.

For Petitioner : Mr.M.Vijayaragavan

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 30.06.2022 for the offences punishable under Sections 294(b), 324 and 307 of IPC in crime No.479 of 2022 on the file of the



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respondent police, seeks bail.

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2. The case of the prosecution is that due to previous enmity in the land dispute, there was a wordy quarrel between the petitioner and the *de-facto* complainant, where the petitioner had scolded him in filthy language and attacked him with iron rod. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that there are four previous cases pending as against the petitioner. Hence, 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 from the date of his



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arrest i.e.30.06.2022, 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 **Judicial Magistrate Court No.1, Perambalur**, 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 Sriperumbudur and report before the Inspector of Police, Sunguvarchatram 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 two 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



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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 Court No.1,
Perambalur.
- 2.The Sub-Inspector of Police,
Perambalur Police Station,
Perambalur District.
- 3.Central Prison,
Trichy.
- 4.The Public Prosecutor,
High Court of Madras

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