



CrI.OP.No.17500 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2022

CORAM

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

CrI.OP.No.17500 of 2022

Premkumar

...Petitioner

Vs.

State Rep. by:
Inspector of Police,
C-4, Vellimedupettai Police Station,
Vilupuram 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. 80 of 2022 on the file of the respondent police.

For Petitioner : Mr.A.Elumalai

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.05.2022 for the offences punishable under Section 147, 148, 326 and 307 of IPC in crime No.80 of 2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, due to previous enmity, the petitioner along with other accused persons assaulted the *de-facto* complainant's son causing grievous injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that a false case has been foisted against the petitioner. He would also submit that the petitioner was arrested and remanded to judicial custody on 21.05.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that due to previous enmity, the petitioner along with other accused persons assaulted the *de-facto* complainant's son with knife and iron rod on his face and jaw causing grievous injuries. He further submitted that the injured is still in the hospital and 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 arrest i.e., 21.05.2022, this Court is inclined to grant bail to the



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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 **learned Judicial Magistrate-I, at Tindivanam, Vilupuram District**, 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 Ariyalur and report before the Inspector of Police, Ariyalur 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., until further orders.

[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



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registered under Section 229A IPC.

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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate-I, at Tindivanam, Vilupuram District.
- 2.The Inspector of Police,
C-4, Vellimedupettai Police Station,
Vilupuram District.
- 3.Central Prison,
Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras

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