



WEB COPY



CrI.OP.No.17533 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2022

CORAM

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

CrI.OP.No.17533 of 2022

1.Kalaiyarasan

2.Balaguru

...Petitioners

Vs.

State rep by
Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.
(Crime No.141/2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail pending investigation in Crime
No.141 of 2022 on the file of the respondent police.

For Petitioners	: Mr.T.Muruganantham
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 27.06.2022 for the offences punishable under Sections 147,
148, 294(b), 323, 324, 506(ii) and 307 of IPC in crime No.141 of 2022



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on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to Civil dispute, there was a wordy quarrel between the petitioners and *de-facto* complainant were both alleged to have attacked each other. Hence, the complaint.

3. The Order of the Court below in Cr.M.P.No.2824 of 2022 dated 19.07.2022 revealed that the injured was treated as out-patient.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., on 27.06.2022, 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 **learned Judicial Magistrate, II Jayamoondam** and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb



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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., for a period of four weeks and thereafter as and when required for interrogation.

[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. State of Kerala [(2005)AIR SCW 5560]**.

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

29.07.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,II Jayamoondam.
- 2.The Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.
- 3.Central Prison, Trichy.
- 4.The Public Prosecutor,
High Court of Madras

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