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CrI.OP.No.17836 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.17836 of 2022

1.S.Karthick

2.Ayub

3.Kadher Sheriff

...Petitioners

Vs.

The State represented by

Inspector of Police,

H-6, R.K.Nagar Police Station,

Chennai.(Crime Number: 415 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Crime No.415 of 2022 on the
file of the Respondent Police.

For Petitioners : Mr.D.Prasanna Kumar

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 14.07.2022 for the offences punishable under Sections 147,
148, 294(b), 323, 324, 307 and 506(ii) of IPC in crime No.415 of 2022



Crl.OP.No.17836 of 2022

on the file of the respondent police, seeks bail.

WEB COPY

2. The case of the prosecution is that, due to wordy quarrel, these petitioners along with other accused persons attacked the *de-facto* complainant's brother using iron rod and caused grievous head injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners were arrested and remanded to judicial custody on 14.07.2022. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured was discharged from hospital on 26.07.2022. However, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of



CrI.OP.No.17836 of 2022

their arrest i.e., 14.07.2022, 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 15th Metropolitan Magistrate, George Town, Chennai**, 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 stay at Villupuram and report before the Inspector of Police, Villupuram Town 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 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



Crl.OP.No.17836 of 2022

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 abscond, a fresh FIR can be registered under Section 229A IPC.

29.07.2022

mpl



WEB COPY



Crl.OP.No.17836 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The 15th Metropolitan Magistrate,
George Town, Chennai.
- 2.The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai.
- 3.Central Puzhal Prison,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.17836 of 2022

29.07.2022