



Crl.OP.No.18306 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2022

CORAM

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

Crl.OP.No.18306 of 2022

Prabhu

...Petitioner

Vs.

The State rep by
The Inspector of Police,
Ambattur Police Station,
Tiruvallur District.
(Cr. No.492/2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to release the petitioner on bail in Cr.No.492/2022 on the file of
the respondent herein, pending investigation.

For Petitioner	: Mr.G.Mageshkumar
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 04.07.2022 for the offences punishable under Sections 341,
294(b), 332, 506 Part II IPC r/w. Section 3 TN PP (D & L) Act in crime
No.492 of 2022 on the file of the respondent police, seeks bail.



Crl.OP.No.18306 of 2022

WEB COPY

2. The case of the prosecution is that petitioner along with other accused persons, on the date of occurrence in drunken mood tried to misbehave with a girl and damaged her cell phone. Subsequently, the victim girl's friend went to the *de-facto* complainant, who is a Grade II PC in the respondent police station and told about the incident. The *de-facto* complainant went to the place of occurrence, where the petitioner along with other accused persons assaulted him and damaged his mobile phone. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 04.07.2022. 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 subsequently discharged from hospital on 04.07.2022. However, he vehemently opposed to grant bail to the petitioner.



CrI.OP.No.18306 of 2022

WEB COPY

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 blood related sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur**, 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 Hosur and report before the Inspector of Police, City Police Station Hosur 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



Crl.OP.No.18306 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 absconds, a fresh FIR can be registered under Section 229A IPC.

04.08.2022

mpl



WEB COPY



Crl.OP.No.18306 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Ambattur.
- 2.The Inspector of Police,
Ambattur Police Station,
Tiruvallur District.
- 3.Central Prison, Puzhal.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.18306 of 2022

04.08.2022