



Crl.O.P.No.18467 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2022

CORAM

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

Crl.O.P.No.18467 of 2022

N.Sathishkumar

...Petitioner

Vs.

The State rep by
The Inspector of Police,
Bangalapudur Police Station,
Erode District.
Crime No.240 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.240 of 2022 on the
file of the respondent police.

For Petitioner : Mr.R.Muthukumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2022 for the offences under Sections **294(b), 323, 506(ii) and 307 of IPC** in crime No.240 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, due to money dispute, there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner along with other accused assaulted the defacto complainant with beer bottle. Hence, the case

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. That apart, the petitioner were arrested and remanded to judicial custody on 02.07.2022. Hence, he prays for grant of bail to the petitioner.



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4.The learned Additional Public Prosecutor submits that the petitioner is having 10 previous cases pending against him. Hence, he opposed to grant bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner ie., from 02.07.2022, this Court is inclined to grant bail to the petitioner.

6. 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 sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, No.I, Gobichettipalayam** 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.



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[b] the petitioner shall stay at Sriperumbudur and report before the Sriperumbudur Town Police Station daily at 10.30.a.m., and 04.30.p.m., for a period of three 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.

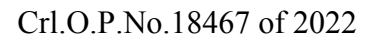
[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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 registered under Section 229A IPC.

04.08.2022

sma



1. Judicial Magistrate, No.I,
Gobichettipalayam.
2. The Inspector of Police,
Bangalapudur Police Station,
Erode District.
3. Central Prison,
Gobichettipalayam.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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