



WEB COPY



Crl.OP.No.18543 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM

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

Crl.OP.No.18543 of 2022

1. Balaji
2.Sarathkumar @ Jayaram Sarathkumar ...Petitioners

Vs.

The State rep by,
The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai.
(Crime No.564 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.564 of 2022 on the
file of the Inspector of Police, H-8, Thiruvottiyur Police Station,
Chennai.

For Petitioners	: Mr. R.Muthu Kumar
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor



Crl.OP.No.18543 of 2022

ORDER

The petitioners, who were arrested and remanded to judicial custody on 12.07.2022 for the offences punishable under Sections 294(b), 341, 323, 324, 307 and 506(ii) of IPC in crime No.564 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that, due to previous enmity, the petitioners along with other accused attacked the defacto complainant using knife. Due to which, the defacto complainant sustained grievous injuries. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. That apart, the petitioners have been suffering incarceration from 12.07.2022. Hence, he seeks bail for the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that there is a case in counter against the defacto complainant. However, he opposed for grant of bail to the petitioners.



Crl.OP.No.18543 of 2022

5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners, from the date of his arrest i.e., 12.07.2022, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their 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, Thiruvottiur** 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 **Thiruppur** and report before the **Thiruppur Town Police Station** twice daily at **10.30.a.m., and 04.30.p.m.,** and thereafter 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.



Crl.OP.No.18543 of 2022

WEB COPY

[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.

05.08.2022

Sma



CrI.OP.No.18543 of 2022

WEB COPY

To

1. Judicial Magistrate,
Thiruvottiyur.
2. The Inspector of Police,
H-8, Thiruvottiyur Police Station,
Chennai.
3. Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.OP.No.18543 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.18543 of 2022

05.08.2022