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CrI.OP.No.18837 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2022

CORAM

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

CrI.OP.No.18837 of 2022

Sakthivel

...Petitioner

Vs.

State Rep. by
Inspector of Police,
Ambur Town Police Station,
Tirupattur District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail, concerned in Cr.No.176 of 2022, on the file of the Respondent Police.

For Petitioner	: Mr.N.S.Amarnath
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2022 for the offences punishable under Sections 294(b), 323, 326(A) and 506(ii) of IPC in crime No.176 of 2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that due to previous enmity, there was a wordy quarrel between the petitioner and the *de-facto* complainant, where the petitioner along with another accused person alleged to have poured acid on the face of the *de-facto* complainant causing burn injuries and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 08.07.2022. 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 discharged from hospital on 25.07.2022. However, he vehemently opposed to grant bail to the petitioner.

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



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arrest i.e., 08.07.2022, 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 sureties**, each for a like sum to the satisfaction of the **learned Addl. District Munsif Cum Judicial Magistrate, Ambur, Tirupattur District**, 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 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 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 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



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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.

10.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Addl. District Munsif cum Judicial Magistrate,
Ambur, Tirupattur District.
- 2.The Inspector of Police,
Ambur Town Police Station,
Tirupattur District.
- 3.Walajah Sub Jail,
Ranipet District.
- 4.The Public Prosecutor,
High Court of Madras

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