



WEB COPY



Crl.OP.No.18972 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2022

CORAM

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

Crl.O.P.No.18972 of 2022

M.Vicky @ Vigneshwaran

...Petitioner

Vs.

The State rep. by,
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

(Crime No. 1702 of 2021)

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to release on bail in Crime No.1702 of 2021 on the file of the
respondent police.

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on
02.06.2022 for the offence under Sections 294(b), 307 of IPC @ 115, 294(b),
307, 326, 34, 342 of IPC, in Crime No.1702 of 2021 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, the petitioner along with other accused persons entered in to the house of the *de-facto* complainant and assaulted him. Hence, the case.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. That apart, the petitioner was arrested and remanded to judicial custody on 02.06.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor submitted that apart from this case, there are 6 previous cases pending against the petitioner. 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 i.e., from 02.06.2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, 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



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two blood related sureties, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Palladam** 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 Melmaruvathur and report before the Melmaruvathur police station police twice daily at 10.30.a.m., and 05.30.p.m., for a period of six 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.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate,
Palladam.
- 2.The Inspector of Police,
Palladam Police Station,
Tiruppur District.
3. District Jail,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.

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