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Crl.OP.No.18968 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2022

CORAM

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

Crl.OP.No.18968 of 2022

Naveen @ Naveen Kumar

...Petitioner

Vs.

State by it's  
Inspector of Police,  
Podhaturpet Police Station,  
Thiruvallur,  
Thiruvallur District.  
(Crime No.173/2022).

...Respondent

**PRAYER:**

Criminal Original Petition is filed under Section 439 of Cr.P.C.  
praying to enlarge the petitioner on bail in Crime No.173 of 2022 on the  
file of the respondent.

|                |                                                   |
|----------------|---------------------------------------------------|
| For Petitioner | : Mr.K.G.Senthilkumar                             |
| For Respondent | : Mr.A.Damodaran,<br>Additional Public Prosecutor |

**ORDER**

The petitioner, who was arrested and remanded to judicial  
custody on 12.07.2022 for the offences punishable under Sections **174 of**  
**Cr.P.C. @ 174 of Cr.P.C. r/w 304(i) of IPC** in Crime No.173 of 2022  
on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that, the *de-facto* complainant's father was working as an Office Assistant in ESSM College of Science and Arts College in Podhaturpet. On the date of occurrence, the petitioner in drunken mode slept inside the college campus. When the same was questioned by the *de-facto* complainant's father, there was a wordy quarrel between them. Due to which the petitioner had assaulted him and as such he fainted and died. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 12.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner had assaulted the *de-facto* complainant's father with hands.

5. Considering the above facts and circumstances of the case,



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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 District Munsif cum Judicial Magistrate, Pallipattu, Thiruvallur 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 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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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[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 District Munsif cum Judicial Magistrate,  
Pallipattu, Thiruvallur District.
- 2.The Inspector of Police,  
Podhaturpet Police Station,  
Thiruvallur,  
Thiruvallur District.
- 3.Sub-Jail, Tirutani.
- 4.The Public Prosecutor,  
High Court of Madras

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