



WEB COPY



CrI.OP.No.19082 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2022

CORAM

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

CrI.OP.No.19082 of 2022

Jittan @ Chinnapaiyan

...Petitioner

Vs.

State Rep. by The Inspector of Police,
Veppankuppam Police Station,
Vellore District.

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.185/2022 pending
investigation on the file of the respondent.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.A.Gopinath,
Government Advocate (CrI.Side)

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 19.07.2022 for the offences punishable under Section 307 of
IPC and Section 25(1B)(a) of Arms Act in crime No.185 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 wordy quarrel with regard to a land dispute, the petitioner had shot the *de-facto* complainant with a country made gun and the *de-facto* complainant sustained injuries on the elbow of his right hand. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 19.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the injured was discharged from hospital. 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 arrest i.e., 19.07.2022, 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



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learned J.M., No.III, Vellore, 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

16.08.2022

mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The J.M., No.III, Vellore.
- 2.The Inspector of Police,
Veppankuppam Police Station,
Vellore District.
- 3.Central Prison,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras

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