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CrI.OP.No.19382 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

CORAM

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

CrI.OP.No.19382 of 2022

1. Ravi Ragul @ Ragul
2. Hariharan

...Petitioners

Vs.

State Rep. by:
The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.
(Crime No.356 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Cr.No.356 of 2022 on the file
of the Inspector of Police, Kodavasal Police Station, Thiruvarur District.

For Petitioners :Mr.M.P.Yuvaraj

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 16.07.2022 for the offences punishable under Sections 294(b), 324, 307 and 506(ii) of IPC and Section 4 of TNPHW Act, 2002 in crime No.356 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to property dispute, the petitioners had attacked the defacto complainant with iron rod and wooden log and also abused in filthy language. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners is an innocent person and he has been falsely implicated in this case. That apart, the petitioners has been suffering incarceration from 16.07.2022. Hence, he prayed for grant of bail to the petitioners.

3. The learned Government Advocate (Criminal Side) submitted that the injured victim has been discharged from the hospital on 04.08.2022. However, he opposed for granting bail to the petitioners.

4. Considering the above facts and circumstances of the case



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and also the period of incarceration by the petitioners from the date of arrest i.e., 16.07.2022, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners 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 Judicial Magistrate, Thiruvarur 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 petitioners 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 petitioners shall not abscond either during investigation or trial.



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[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.

17.08.2022

Sma

To



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1. The Judicial Magistrate,
Thiruvarur, Thiruvarur District.

2. The Inspector of Police,
Kodavasal Police Station,
Thiruvarur District.

3. District Prison,
Nagapattinam

4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

Sma

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