



Crl.OP.No.19390 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

CORAM

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

Crl.O.P.No.19390 of 2022

M.Vicky @ Vigneswaran

...Petitioner

Vs.

State, Rep. by
The Inspector of Police,
Udumalpet Police Station,
Tirupur District.
Crime No.255 of 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.255 of 2022 on the file of
the respondent police.

For Petitioner : Mr.S.Rajkumar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.07.2022 for the offence under Sections 294(b), 307 of IPC @ 120B 294(b), 307 of IPC, in Crime No.255 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, due to previous enmity, the petitioner along with other accused trespassed into the defacto complainant's house and thereby assaulted him with a rod. 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 16.07.2022. Hence, he prays for grant of bail to the petitioner.

4.The learned Government Advocate (Crl.Side) submitted that the injured victim has been discharged from the hospital on 07.05.2022. However, he opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and also considering the period of incarceration undergone by the petitioner i.e., from 16.07.2022, 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 **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate, No.1, Udumalpet** 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 04.30.p.m., for a period of four 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.



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[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.

17.08.2022

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To

1. Judicial Magistrate No.1,
Udumalpet
- 2.The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
3. District Jail,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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