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CrI.OP.No.20048 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM

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

CrI.OP.No.20048 of 2022

- 1.Siva
2. Vishnu

...Petitioners

Vs.

State Rep. by:
The Inspector of Police,
B-1, Siva Kanchi Police Station,
Kanchipuram District.
(Crime No.501 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.501 of 2022 on the file
of the Respondent Police.

For Petitioners :Mr.A.Saranraj

For Respondent :Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 08.06.2022 for the offences punishable under Sections 147, 148, 294(b), 302, 307, 323, 324 and 506(ii) of IPC r/w Section 4 of TNPHW Act in crime No.501 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to previous enmity, on 06.06.2022, the *de-facto* complainant along with family members after completing their business, returned to their house and at that time, the petitioners along with others conspired together, used filthy languages and assaulted with screw driver on *de-facto* complainant's son's stomach. Hence, the complaint.

3. Due to wordy quarrel between the petitioners and the neighbours, the occurrence took place. The petitioners were arrested and remanded to judicial custody on 08.06.2022.

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., 09.06.2022, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their executing separate 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.I, Kanchipuram**, 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.

[d] the petitioners 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 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.

24.08.2022

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To

1.The Judicial Magistrate No.I, Kanchipuram.



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2.The Inspector of Police,
B-1, Siva Kanchi Police Station,
Kanchipuram District.

3.Central Prison,
Puzhal, Chennai.

4.The Public Prosecutor,
High Court of Madras

G.K.ILANTHIRAIYAN, J.



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