



Crl.OP.No.20689 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

Crl.OP.No.20689 of 2022

Sounthar

...Petitioner

Vs.

State represented by
The Inspector of Police,
Thirupalaivanam Police Station,
Tiruvallur District.
(Crime No.74 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No.74 of 2022 on the file of the respondent police.

For Petitioner :Mr.S.Seenuvasan

For Respondent :Mr.A.Damodaran,
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 08.07.2022 for the offences punishable under Sections **341, 294(b), 324, 392, 506(ii) and 307 of I.P.C** in crime No.74 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, the petitioner along with other accused waylaid the defacto complainant and attacked with knife and beer bottles and also robbed a sum of Rs.1,000/-. Hence, the case.

3. The learned counsel for the petitioner submitted the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that, apart from this case, there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of their arrest i.e., 08.07.2022, this Court is inclined to grant bail to the petitioner.

6. 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 Judicial Magistrate-II, Ponneri** 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 **Melmaruvathur Town Police Station** 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 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.**



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

30.08.2022

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To

1. Judicial Magistrate-II,
Ponneri.
2. The Inspector of Police,
Thirupalaivanam Police Station,
Tiruvallur District.
3. Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.
Sma

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