



Crl.OP.No.20966 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

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

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1.Katta Prabhu @ Arunprabhu
2.Sarathkumar
3.Karthi @ Karthikeyan
4.Ajith
5.Vijay
6.Vignesh
7.Arunkumar
8.Rokesh

...Petitioners

Vs.

State represented by
Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
(Crime No.431 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.431 of 2022 on the file of the Inspector of Police, Valangaiman Police Station, Tiruvarur District.

For Petitioners	:Mr.N.Palanivel
For Respondent	:Mr.A.Damodaran, Additional Public Prosecutor



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.08.2022 for the offences punishable under Sections **147, 148, 294(b), 324, 506(ii) and 307 of IPC** in crime No.431 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, due to previous enmity, the petitioners along with others had attacked the defacto complainant with deadly weapon, due to which, the defacto complainant sustained grievous injuries and admitted in the hospital. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the injured person in this case had been discharged from the hospital on 11.08.2022. However, he opposed for grant of bail to the petitioners.



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5. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of arrest i.e., 04.08.2022, this Court is inclined to grant bail to the petitioners.

6. 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 blood related sureties**, each for a like sum to the satisfaction of the **learned District Munsif Cum Judicial Magistrate, Valangaiman** 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 six 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 abscond, a fresh FIR can be registered under Section 229A IPC.

02.09.2022

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To

1. District Munsif cum Judicial Magistrate,
Valangaiman.
2. Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
3. District Prison,
Nagapattinam.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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