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CrI.OP.No.21134 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM

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

CrI.OP.No.21134 of 2022

Paambu @ Bhagatsingh

..Petitioner

Vs.

State, Rep. by
The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
(Crime No.199 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 of the
case in the crime No.199 of 2022 on the file of the respondent.

For Petitioner : Mr.M.Vijaya Ragavan

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

ORDER

The petitioner, who was arrested and remanded to judicial
custody on 15.07.2022 for the offences punishable under Sections 147,



CrI.OP.No.21134 of 2022

148, 294(b), 323, 324, 392, 506(ii) and 397 of IPC in crime No.199 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that there was a previous enmity in between the *de-facto* complainant and the petitioner/first accused, due to which, the petitioner along with other accused alleged to have harassed the sister of the *de-facto* complainant and further it is alleged that the accused have assaulted the *de-facto* complainant using brick and thereby caused injury and also robbed a sum of Rs.2,000/- from the *de-facto* complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 15.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that there are totally five accused, in which the petitioner is arrayed as A1. He further submitted that the injured victim



Crl.OP.No.21134 of 2022

has been discharged from the hospital on 20.07.2022. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also considering the fact that the victim discharged from the hospital, this Court is inclined to grant bail to the petitioner. 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, Kumarapalyam**, 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 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 petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



CrI.OP.No.21134 of 2022

WEB COPY

[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.

02.09.2022

mpl



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CrI.OP.No.21134 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate, Kumarapalayam.
- 2.The Inspector of Police,
Pallipalayam Police Station,
Namakkal District.
- 3.Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras

CrI.O.P.No.21134 of 2022

02.09.2022