



Crl.OP.No.21279 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.OP.No.21279 of 2022

Sasikumar

... Petitioner

Vs.

The State represented by ,
The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai.
(Crime No.169/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.169
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Kannan

For Respondent : Mr.C.E.Pratap

Government Advocate (Crl.side)



Crl.OP.No.21279 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 16.07.2022 for the offences punishable under Section 147, 148, 294(b), 323, 324 & 506 (2) of IPC, in Crime No.169 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused waylaid the de-facto complainant and due to previous enmity, attacked him with knife and caused injuries on head and knee. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that 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 Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is a habitual offender and there are two previous cases against him. He would further submit that in this case,



Crl.OP.No.21279 of 2022

due to previous enmity, the petitioner and other accused attacked the de-facto complainant with knife, due to which, he sustained injuries. Hence, he vehemently opposed to grant bail to the petitioner.

5. In reply, the the learned counsel for the petitioner would submit that the petitioner has been granted with bail in two other previous cases.

6. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent Police and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and taking note of the fact that he has been granted bail in other two cases and the period of incarceration by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.25,000/- (Rupees Twenty Five thousand only)** with **two blood related sureties**, for a like sum to the



Crl.OP.No.21279 of 2022

satisfaction of the **learned 23rd Metropolitan Magistrate, Saidapet**, 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 Coimbatore and report before the Inspector of Police, Peelamedu Town Police Station, every day morning at 10.30 a.m., and evening at 5.30 p.m., for a period of four weeks and thereafter, report before the respondent police every day morning at 10.30 a.m., and evening at 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;

[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



Crl.OP.No.21279 of 2022

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.

08.09.2022

ham

To

1. The 23rd Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
R-6, Kumaran Nagar Police Station,
Chennai.
3. The Inspector of Police,
Peelamedu Town Police Station,
Coimbatore.
4. The Superintendent,
Central Prison,
Puzhal.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.OP.No.21279 of 2022

A.D.JAGADISH CHANDIRA.,J.

ham

CrI.O.P.No.21279 of 2022

08.09.2022