



Crl.O.P.No.21218 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2022

CORAM

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

Crl.O.P.No.21218 of 2022

Vedhesh

... Petitioner

Vs.

The State represented by ,
The Inspector of Police,
K-1, Sembium Police Station,
Chennai.
(Crime No.524/2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner on bail in Crime No.524 of 2022 pending
investigation on the file of the Inspector of Police, K-1, Sembium Police
Station, Chennai.

For Petitioner : Mr.P.S.Muralidhara Rao

For Respondent : Mr.C.E.Pratap

Government Advocate (Crl.side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.08.2022 for the offences punishable under Section 341, 294(b), 324, 307 & 506 (2) of IPC, in Crime No.524 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the first accused had love affair with the daughter of the de-facto complainant and due to which, there was a dispute between them. Pursuant to their enmity, on 04.08.2022, the first accused along with the petitioner and other accused had assaulted the de-facto complainant with knife and stones and caused injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and since, he happens to be the friend of the first accused, he has been wrongly implicated in this case by the de-facto complainant suspecting that he would support the first accused. He would also submit that even the name of the petitioner does not find place in



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the First Information Report, he was arrested on 04.08.2022. He would further submit that the injured has been discharged from the hospital. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that due to the previous enmity, on account of the first accused having love affair with the daughter of the de-facto complainant, the petitioner along with other accused assaulted the de-facto complainant with stones and knife and caused injuries. He would further submit that the injured has been discharged from the hospital. He would also submit that there is no previous case against the petitioner. However, he opposed to grant bail to the petitioner.

5. 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.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and taking note of the



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fact that the injured has been 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.25,000/- (Rupees Twenty Five thousand only)** with **two sureties**, for a like sum to the satisfaction of the **learned V Metropolitan Magistrate, Egmore, Chennai**, 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 every day morning at 10.30 a.m., until further orders;

[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



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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

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To

1. The V Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
K-1, Sembium Police Station,
Chennai.
3. The Superintendent,
Central Prison,
Chennai.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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