



Crl.O.P.No.22175 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2022

CORAM

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

Crl.O.P.No.22175 of 2022

Akash

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Thiruvallur Taluk Police Station.
Thiruvallur District.

(Crime No.307 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail, in Crime No.307 of 2022, pending
investigation on the file of the respondent Police.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.07.2022 for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 506(2) & 307 IPC, in Crime No.307 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that due to the wordy quarrel between two rival gangs on account of celebrating the birthday on the middle of the road, the petitioner along with the other accused abused the de-facto complainant and his friends in a filthy language and caused injuries by attacking them with knife. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person aged about 20 years and since, he happens to be the friend of the other accused, he has been suspected by the respondent Police and implicated in this case. He would also submit that the co-accused (A3) in this case has been granted with bail by the learned Principal District and Sessions Judge, Tiruvallur in Crl.M.P.No.3648 of 2022. Hence, he prays for grant of bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that there was a gang rivalry between two groups in celebrating birthday. He would further submit that the petitioner along with the other accused abused the de-facto complainant and his friends and attacked them with knife, caused injuries. He would also submit that the injured has been discharged from the hospital and also submit that there is three previous cases as against the petitioner. Hence, he opposed to grant bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned learned Additional Public Prosecutor for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also taking note of the fact that the injured has been discharged from the hospital and also considering the age of the petitioner, this Court is inclined to grant bail to the petitioner.



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7. 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Tiruvallur**, 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 Vellore and report before the Inspector of police, Vellore Town Police Station, everyday at 10.30 a.m. and 5.30 p.m., for a period of three weeks and thereafter, report before the respondent Police everyday 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



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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.

16.09.2022

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To

1. The Judicial Magistrate No.I,
Thiruvallur.
2. The Inspector of Police,
Thiruvallur Taluk Police Station,
Thiruvallur District.
3. The Central Prison,
Puzhal.
4. The Inspector of Police,
Vellore Town Police Station,
Vellore.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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