



CrI.O.P.No.22742 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM

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

CrI.O.P.No.22742 of 2022

1. Manigandan

2. Mohan @ Mohanavel

3. Siva @ Sivasankaran

4. Sundar @ Jeeva

5. Arul

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
B-2, Vishnu Kanchi Police Station,
Kanchipuram District.
(Crime No.666 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioners on bail pending investigation in connection
with the Crime No.666 of 2022 on the file of the respondent Police.



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For Petitioners : Mr.K.G.Senthilkumar
For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 26.08.2022 for the offences punishable under Sections 147, 148, 341, 294(b), 342, 323, 307 & 506(2) of IPC, in Crime No.666 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioners along with the other accused waylaid the de-facto complainant's husband and abused him in a filthy language and assaulted him, due to which, he sustained grievous injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent person and they have been falsely implicated in this case. He would further submit that the husband of the de-facto complainant, who is the history sheeter, had demanded money from his erstwhile owner and when it was questioned by the petitioners and other



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employees, the scuffle had happened between them and taking advantage of the injuries, this false complaint has been given against the petitioners. He would also submit that the petitioners are in custody from 26.08.2022 and they are prepared to comply with any stringent condition imposed by this Court and he prays for grant of bail to the petitioners.

4. The learned Government Advocate (CrI.Side) would submit that petitioners along with the other accused waylaid the de-facto complainant's husband and abused him in a filthy language and assaulted him, due to which, he sustained grievous injuries. He would also submit that the injured has been discharged from the hospital and there is no previous case as against these petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the



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case and taking note of the fact that there is no previous case against the petitionerz and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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, Kanchipuram**, 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, everyday at 10.30 a.m. and 5.30p.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[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



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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.

20.09.2022

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To

1. The Judicial Magistrate No.I,
Kanchipuram.
2. The Inspector of Police,
B-2, Vishnu Kanchi Police Station,
Kanchipuram District.
3. The Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras.



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