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CrI.O.P.No.23204 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM

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

CrI.O.P.No.23204 of 2022

Lakshmanan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sunguvarchathiram Police Station,
Kanchipuram District.
Crime No.476 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail pending investigation in Crime
No.476 of 2022 on the file of the respondent police.

For Petitioner : Mr.G.Punniakoti

For Respondent : Mr.C.E.Pratap
Government Advocate (CrI. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.09.2022 for the offences punishable under Sections 294(b), 323, 324, 307 and 427 of IPC, in Crime No.476 of 2022, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused quarrelled with the defacto complainant, who is running a Fast Food Centre and they have refused to pay the amount and assaulted the defacto complainant resulting in him sustaining injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and a false complaint has been given as against the petitioner. He would also submit that stale food was served to the petitioner and the other accused and when it was questioned by them, there was a quarrel and a false complaint has been given. He would further submit that there is no previous case pending as against the petitioner. He would also state that the injured has also been discharged from the hospital.



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Therefore, 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 along with the other accused quarreled with the defacto complainant, who is running a Fast Food Centre and they have refused to pay the amount and assaulted the defacto complainant resulting in him sustaining injuries. Therefore, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail on



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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 District Munsif Cum Judicial Magistrate, Sriperumbudur, Kancheepuram District** 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 daily 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 in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW**



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5560];

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

23.09.2022

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To

1. The District Munsif Cum Judicial Magistrate,
Sriperumbudur, Kancheepuram District.
2. The Inspector of Police,
Sunguvarchathiram Police Station,
Kanchipuram District.
3. The Superintendent,
Sub Jail,
Kancheepuram.
4. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA., J.



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