



Crl.O.P.No.23808 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2022

CORAM

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

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1.Sathiyaraj

2.Sundaramoorthy

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Sunguvarchathiram Police Station,
Kancheepuram.
(Crime No.476 of 2022)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioners on bail in Crime No.476 of 2022, on the
file of the respondent Police.

For Petitioners : Mr.A.Saranraj

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



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ORDER

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

2. The case of the prosecution is that the petitioners 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 abused the defacto complainant in filthy language and also assaulted him, resulting in him sustaining injuries. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and a false complaint has been given as against the petitioners. He would also submit that stale food was served to the petitioners 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 petitioners. He



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would also state that the injured has also been discharged from the hospital.

Therefore, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioners 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 abused the defacto complainant with filthy language and also assaulted him, resulting in him sustaining injuries. Therefore, he vehemently opposed to grant bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) 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, this Court is inclined to grant bail to the petitioners with certain conditions.



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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, Sriperumbudur**, 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 daily at 10.30 a.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 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



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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.

29.09.2022

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To

- 1.The Judicial Magistrate,
Sriperumbudur.
- 2.The Inspector of Police,
Sunguvarchathiram Police Station,
Kancheepuram.
- 3.The Central Prison,
Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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