



Crl.O.P.No.24678 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2022

CORAM

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

Crl.OP.No.24678 of 2022

Tamilazhagan

... Petitioner

Vs.

The State Represented by,
Inspector of Police
Mannargudi Town Police Station,
Thiruvarur District.

Crime No: 356 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased enlarge the petitioner on bail in Crime No.356 of 2022 on the file of
Inspector of Police, Mannargudi Town police station, Thiruvarur District.

For Petitioner : Mr.Swami Subramanian

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 18.09.2022 for the offences punishable under Sections 294(b), 324, 307 & 506 (2) of IPC, in Crime No.356 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner and the husband of the de-facto complainant/victim are adjacent shop owners. On 18.09.2022, there was a wordy quarrel between the petitioner and the victim and at that time, due to the previous enmity, the petitioner abused the victim in a filthy language and assaulted him with aruval, causing injuries on the victim. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the due to the previous enmity the false case has been foisted as against the petitioner. He would also submit that the petitioner is in custody from 18.09.2022 and he ready to abide by an



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stringent conditions that may be imposed by this Court. 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, the petitioner had assaulted the de-facto complainant's husband with aruval and caused injuries. He would further submit that the injured has been discharged from the hospital on 26.09.2022. 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 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/-**



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(Rupees Twenty Five thousand only) with **two sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate No.I, Mannargudi**, 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 Chennai and report before the Inspector of Police, Flower Bazaar Police Station, every day at 10.30 a.m., and 5.30 p.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 5560]**;



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

12.10.2022

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To

1. The Judicial Magistrate No.I, Mannargudi.
2. The Inspector of Police
Mannargudi Town Police Station,
Thiruvarur District,
3. The Inspector of Police
Flower Bazaar Police Station,
Chennai.
4. The Sub Jail,
Mannargudi.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

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