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Crl.OP.No.25312 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.OP.No.25312 of 2022

Saranraj @ Charles

... Petitioner

Vs.

The State Rep. by its
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai.
(Crime No.216 of 2022)

...Respondent

PRAYER:Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending trial in Crime No.216 of 2022 on the file of the respondent Police.

For Petitioner : Mr.A.Ilayaperumal

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.07.2022 at the hands of the respondent police for the offences punishable under Sections 294(b), 353 and 307 IPC, in Crime No.216 of 2022, seeks bail.



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2. The case of the prosecution is that on 02.07.2022, when the defacto complainant was inspecting the vehicles at Sethur bus stop main road near Manalmedu-Vaitheeswaran Kovil, with his officials, the petitioner scolded him with filthy language and attacked the defacto complainant with aruval. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has no way connected with the alleged occurrence. He further submitted that he has been falsely implicated in this case and he is ready and willing to abide by any condition imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the petitioner is an habitual offender, having nine previous cases against him including under Section 302 IPC case. On 02.07.2022, when the defacto complainant on his routine vehicle check up, the petitioner arrived there and scolded the defacto complainant in filthy language and attacked him with aruval. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the above facts and circumstances of the case and also considering the period of incarceration by the petitioner from the date of his arrest viz., 02.07.2022, this Court is inclined to grant bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with **two blood related sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Mayiladuthurai, 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 committal Court on all working days at 10.30 a.m., and 05.30 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



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during investigation or trial.

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[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]**.

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

19.10.2022

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G.K.ILANTHIRAIYAN, J.

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To

- 1.The learned Judicial Magistrate No.I,
Mayiladuthurai.
- 2.The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai.
- 3.The District Jail,
Nagapattinam.
- 4.The Public Prosecutor,
High Court of Madras.

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