



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.26029 of 2021

1.Amman Karthic
2.Sushanth

... Petitioners

Vs.

The State represented by
The Inspector of Police,
D-2, Selvapuram Police Station
Coimbatore City
(Crime No.641 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.641 of 2021, on the file of the respondent.

For Petitioners : Mr.M.Subash

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)

ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 16.11.2021 for the offence under **Section 307 IPC in Crime No.641 of 2021**, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity, on 14.11.2021, the petitioners attacked the defacto complainant with knife. Hence, the complaint.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case and that they have been suffering incarceration for more than 50 days from 16.11.2021. Hence, he would pray for grant of bail to the petitioners.



4. The learned Government Advocate (Crl. Side) raised objection but admits that the injured has been discharged from the hospital and the investigation is almost completed.

5. Considering the fact that the injured has been discharged from the hospital and the investigation is almost completed and also considering the period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

(a) Accordingly, the petitioners are ordered to be released on bail on executing their **own bond for a sum of Rs.10,000/- (Rupees ten thousand only), before the Superintendent of the concerned prison**, in which the petitioners have been confined and thereafter on their release;

(b) each of the petitioners shall execute **two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Judicial Magistrate-V, Coimbatore, within 15 days from the date of commencement of the Court's normal functioning**, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) **the petitioners shall stay at Namakkal and report before the Town Police Station on every Wednesday and Saturday at 10.30 a.m. for a period of two months and thereafter, report before the respondent police as and when required for interrogation.**

(e) the petitioners shall not commit any offences of similar nature;

(f) the petitioners shall not abscond either during investigation or trial;

(g) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioner in accordance with law as



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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];

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
04/01/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.V, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE STATE REP BY
D-2, SELVAPURAM POLICE STATION,
COIMBATORE CITY.

5 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

6 THE OFFICER INCHARGE
TOWN POLICE STATION,
NAMAKKAL.

CC to M/S.M.SUBASH Advocate on payment of necessary charges

CRL OP.26029/2021

Date :04/01/2022

TA-04/01/2022