



CrI.OP.No.27062 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

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THE HON'BLE MR. JUSTICE **M.NIRMAL KUMAR, J.**

CrI.OP.No.27062 of 2022

M.Saravanan

..Petitioner/A3

Vs.

The State Represented by,
The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai - 13
Crime No.213 of 2022

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail pending investigation in Crime
No. 213 of 2022 on the file of the respondent police.

For Petitioner : Mr.N.Desinghu

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 06.09.2022 for the offences punishable under Sections 341, 294(B), 324 and 307 of IPC in Crime No.213 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that, due to previous enmity, the petitioner along with other accused abused the brother of the defacto complainant in filthy language and also assaulted him using knife, due to which, the defacto complainant sustained grievous injuries all over the body and got admitted in the hospital. Hence, the case.

3. The contention of the learned counsel for the petitioner is that the petitioner has been falsely implicated, since he happens to be the friend of A1. He would further submit that, earlier this Court dismissed the petitioner's bail petition in Crl.O.P.No.25259 of 2022 on the ground that the injured was taking treatment as in-patient in the hospital and now the injured has been discharged from the hospital. He would further



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submit that co-accused namely A1, A2 and A4 has been granted bail by the Sessions Court in C.M.P.No.20173 of 2022 on 20.10.2022. Hence, he seeks for grant of bail to the petitioner.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that, injured victim in this case has been discharged from the hospital. He would further submit that there is no previous case pending against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Heard the learned counsels and also perused the materials available on record.

6. Taking into consideration the facts and submissions and the period of incarceration of the petitioner from the date of his arrest and also considering that the injured victim has now been discharged from the hospital, this Court is inclined to grant bail to the petitioner.



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7. Accordingly, the petitioner is ordered to be released on bail on 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 **Judicial Magistrate Court No.16, George Town, Chennai** 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



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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.

07.11.2022

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To

1. The Judicial Magistrate Court No.16,
George Town, Chennai.
2. The Inspector of Police,
N-2, Kasimedu Police Station,
Chennai - 13
3. Puzhal Central Prison,
Chennai.
4. The Public Prosecutor,
High Court of Madras



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