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Crl.O.P.No.27570 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

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

Crl.O.P.No.27570 of 2022

T.Ranjith Kumar @ Don Ranjith Kumar

... Petitioner

Vs.

State represented by,
The Inspector of Police,
Veeranam Police Station,
Veeranam,
Salem District.

(Crime No.227 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in connection with the Crime No.227
of 2022 pending investigation on the file of the respondent Police.

For Petitioner : Mr.K.Selvaraj

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



Crl.O.P.No.27570 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 18.08.2022 for the alleged offences punishable under Sections 294(b), 323 & 307 of IPC, in Crime No.227 of 2022 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with the other accused, demanded money to the de-facto complainant's father to drink and when he refused to give money they started abusing him in a filthy language and when it was questioned by the de-facto complainant, they also abused the de-facto complainant and assaulted him with knife and caused injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that this is the second bail application before this Court and the earlier bail application was dismissed by this Court in Crl.O.P.No.24083 of 2022 dated 30.09.2022 on the ground that the petitioner has got seven previous cases. He would further submit that the petitioner was arrested on 18.08.2022 and he is



Crl.O.P.No.27570 of 2022

in custody for more than 70 days and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner along with the other accused, abused the de-facto complainant's father, when he refused to give money to drink and also assaulted both the de-facto complainant and his father and caused injuries. He would further submit that the injured has been discharged from the hospital. He would also submit that there are seven previous cases as against the petitioner, out of which, one is of similar in nature. Therefore, he would vehemently oppose for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.



Crl.O.P.No.27570 of 2022

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

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** (out of which, one surety should be a blood related surety and should produce document to show his/her means), each for a like sum to the satisfaction of the **learned Judicial Magistrate No.IV, Salem** 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, everyday at 10.30 a.m. and 5.30p.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;



Crl.O.P.No.27570 of 2022

WEB COPY

[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]*;

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

11.11.2022

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To

1. The Judicial Magistrate No.IV,
Salem District.
2. The Inspector of Police,
Veeranam Police Station,
Salem District.
3. The Central Jail,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.27570 of 2022

A.D.JAGADISH CHANDIRA.,J.

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Crl.O.P.No.27570 of 2022

11.11.2022