



Crl.O.P.No.5806 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

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

Crl.O.P.No.5806 of 2023

Ranjith

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.

(Crime No.60 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in connection with the
Crime No.60 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.S.P.Harikrishnan

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 16.02.2023, for the offences punishable under Sections 294(b), 307, 506(ii) of IPC r/w 25(1)(b) & 27(1) of Arms Act, 1959, in Crime No.60 of 2023, on the file of the respondent police, seeks bail.

2. The case of the prosecution as per the *de-facto* complainant, Prakash, is that the accused has abused him in a filthy language and attempted to assault him with aruval. The further allegation is that he has also threatened the public passerby. Hence the case.

3. Learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the fact remains is that several cases are pending as against the petitioner and in order to put the petitioner under fetters, a false case has been foisted against him, as if the *de-facto* complainant has lodged a complaint against him. He also submitted that the petitioner was in custody from 16.02.2023 and he is prepared to abide by any stringent conditions that



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may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

4. The de-facto complainant is present before this Court and he has also filed an affidavit stating that he has not preferred any complaint against the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner is a history sheeted rowdy in H.S.No.280 of 2020, against whom, 7 previous cases are pending. Hence, he vehemently opposed for grant of bail to the petitioner.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record including the Affidavit filed by the de-facto complainant before this Court.

7. Taking into consideration the facts and circumstances of the case, the submissions made by either side of the parties, taking note of the



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de-facto complainant's Affidavit and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

8. 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 sureties**, 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 stay at Dindigul and report before the Inspector of Police, South Town Police Station, everyday 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;



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

20.03.2023

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To

1. The Judicial Magistrate No.I,
Mayiladuthurai.
2. The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
3. The Central Prison,
Cuddalore.
4. The Inspector of Police,
South Town Police Station,
Dindigul.
5. The Public Prosecutor,
High Court of Madras.



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