



Crl.O.P.No.6966 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

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

Crl.O.P.No.6966 of 2023

Adhirathiikeswaran

... Petitioner

Vs.

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

(Crime No.11 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner/accused on bail, in Crime No.11 of 2023,
pending on the file of the respondent Police.

For Petitioner : Mr.V.Perarasu

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



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He also submitted that the petitioner is in custody from 06.01.2023, and he is prepared to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there was a quarrel between the petitioner and the de-facto complainant, since the petitioner has watched movie with high volume in his phone and during the quarrel, the petitioner has assaulted the de-facto complainant with bottle, due to which, he sustained injuries and later, he was admitted to the hospital. He also submitted that the injured has been discharged from the hospital and further submitted that investigation in this case is still pending. He further submitted that one previous case is pending as against the petitioner. Hence, he opposed 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 entire materials available on record.



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6. Taking into consideration the facts and circumstances of the case, the submissions made by either side, taking note of the fact that the injured has been discharged from the hospital and also considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain condition.

7. 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** (out of which one surety should be a blood related surety and should produce document to show his/her means), for a like sum to the satisfaction of the **learned Judicial Magistrate No.4, 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 stay at Chennai and report before the Inspector of Police, J-9 Thoraipakkam Police Station, everyday at 10.30 a.m.,



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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 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.

28.03.2023

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To

1. The Judicial Magistrate No.4,
Salem District.
2. The Inspector of Police,
Kannakurichi Police Station,
Salem District.
3. The Central Prison,
Salem.
4. The Inspector of Police,
J-9, Thoraipakkam Police Station,



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Chennai.
5. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA.,J.

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