



Crl.O.P.Nos.6991, 6992 & 6993 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2023

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

Crl.O.P.Nos.6991, 6992 & 6993 of 2023

Mani @ Bonda Mani	... Petitioner in Crl.O.P.No.6991 of 2023
Nithiyanathan @ Neeta	... Petitioner in Crl.O.P.No.6992 of 2023
Praveen @ Praveenkumar	... Petitioner in Crl.O.P.No.6993 of 2023

Vs.

The State represented by,
The Inspector of Police,
Singanallur Police Station,
Coimbatore District.

(Crime No.98 of 2023). ... Respondent in all Crl.O.P.s.

COMMON PRAYER : Criminal Original Petitions filed under Section 439 of Cr.P.C., pleased to enlarge the petitioners/accused on bail, in connection with the Crime No.98 of 2023, pending investigation on the file of the respondent Police.

In all Crl.O.P.s,

For Petitioners	: Mr.W.Camyles Gandhi
For Respondent	: Mr.C.E.Pratap Government Advocate (Crl.Side)



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COMMON ORDER

The petitioners, who were arrested and remanded to Judicial custody, for the offence punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of IPC, in connection with Crime No.98 of 2023, registered on the file of the respondent police, seek bail.

2. The case of the prosecution as per the de-facto complainant, Mohamed Unis is that on 03.03.2023, due to the previous enmity, the accused have abused the de-facto complainant and assaulted him with Aruval, resulting in which, he sustained grievous injuries. Hence the case.

3. Learned Counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence and due to the previous dispute, the de-facto complainant has lodged a false complaint against the petitioners. He also submitted that the petitioners in Crl.O.P.Nos.6991 & 6993 of 2023 were arrested on 06.03.2023 and the petitioner in Crl.O.P.No.6992 of 2023 was arrested on 05.03.2023 and the petitioners are in custody for more than 20 days. Hence, he prayed for grant of bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioners (A3, A2 & A4 respectively) along with other accused have abused and assaulted the de-facto complainant with aruval, due to which, he sustained grievous injuries. He also submitted that the injured has been discharged on bail on 16.03.2023 and further submitted that one previous case is pending against each petitioner in Crl.O.P.Nos.6991 & 6992 of 2023 and there are two previous cases pending against the petitioner in Crl.O.P.No.6993 of 2023. He also submitted that investigation in this case is pending. Hence, he vehemently opposed for grant of bail to the petitioners.

5. In reply, the learned counsel for the petitioners submitted that even as per the prosecution, the first accused Surenderan is the one, who had inflicted injuries on the de-facto complainant and there is no specific overt act attributed as against these petitioners. Therefore, he prayed for grant of bail to the petitioners stating that they are ready to abide by any stringent conditions that may be imposed by this Court.



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6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by either side and also considering the period of incarceration undergone by these petitioners, this Court is inclined to grant bail to the petitioners with certain condition.

8. Accordingly, the petitioners are ordered to be released on bail on their executing a separate 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 III, Coimbatore**, 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;



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[b] the petitioners shall stay at Madurai and report before the Inspector of Police, C-4 Othakadai Police Station, everyday at 10.30 a.m., for a period of four weeks and thereafter, report before the respondent Police everyday at 10.30 a.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

29.03.2023

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To



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1. The Judicial Magistrate No.III,
Coimbatore.
2. The Inspector of Police,
Singanallur Police Station,
Coimbatore District.
3. The Central Prison,
Coimbatore.
4. The Inspector of Police,
C4, Othakadai Police Station,
Madurai District.
- 5.The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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