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Crl.O.P.No.8755 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2023

CORAM

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

Crl.O.P.No.8755 of 2023

Seenu @ Srinivasan @ Krishna Kumar

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sholinghur Police Station,
Ranipet District.

(Crime No.79 of 2022).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleaded to enlarge the petitioner/accused on bail, in connection with the
Crime No.79 of 2022, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.G.Nirmal Krishnan

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 25.03.2023, for the offences punishable under Sections 147, 148, 294(b), 323, 324, 307 & 506(ii)IPC, in Crime No.79 of 2022, on the file of the respondent police, seek bail.

2. The case of the prosecution as per the de-facto complainant, Prakash, is that on 08.03.2022, due to the previous enmity with regard to the money transaction, the accused had abused him in a filthy language and attempted to murder him by indiscriminately assaulting him with knife, due to which, he sustained grievous injuries. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also submitted that due to the existing money dispute between the de-facto complainant and the petitioner, the de-facto complainant has lodged a false complaint as against the petitioner and others. He further submitted that the petitioner is no way connected with the alleged offence and he is in custody from 25.03.2023 and he is ready to abide by any other stringent



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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 due to the existing money dispute, the petitioner along with other accused, abused and assaulted the de-facto complainant and attempted to commit murder of him by assaulting him with knife, due to which, he sustained grievous injuries. He further submitted that the injured has been treated as in-patient and discharged from the hospital. He also submitted that as far as this petitioner is concerned, he is a history sheeted rowdy in H.S.No.373 of 2013, against whom 4 previous cases are pending. Hence, he vehemently opposed for grant of bail to the petitioner.

5. Heard the learned Counsel for the Petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking



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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 conditions.

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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Sholinghur**, 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 Chidambaram and report before the Inspector of Police, Chidambaram Town Police Station, everyday at 10.30a.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



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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.

25.04.2023

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To

1. The Judicial Magistrate,
Sholinghur.
2. The Inspector of Police,
Sholinghur Police Station,
Ranipet District.
3. The Central Jail,
Vellore.
4. The Inspector of Police,
Chidambaram Town Police Station,
Chidambaram.
5. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

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