



WEB COPY



Crl.OP.No.10078 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2023

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

**Crl.O.P.No.10078 of 2023**

Senthil

..Petitioner

Vs.

The State Represented by  
The Inspector of Police,  
K-02, Ayyanavaram Police Station,  
Ayyanavaram,  
Chennai.  
(Crime No.135 of 2023)

..Respondent

**PRAYER:**Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.135 of 2023 pending investigation on the file of the respondent Police.

For Petitioner : Mr.R.Thirumoorthy

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor

**ORDER**

The petitioner, who was arrested and remanded to judicial custody on 17.04.2023 for the offence punishable under Sections 195(A), 307 and 109 of IPC, in Crime No.135 of 2023 on the file of the respondent police, seeks bail.



Crl.OP.No.10078 of 2023

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused entered into the shop of the defacto complainant and stated that not to depose evidence as against A1. When the defacto complainant questioned the same, the accused threatened the defacto complainant and attempted to kill the defacto complainant with deadly weapons. Hence, the present case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and he is no way connected with the offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the injured has been discharged from the hospital on 18.04.2023. However, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, and also considering the period of incarceration undergone by the petitioner from



CrI.OP.No.10078 of 2023

17.04.2023, this Court is inclined to grant bail to the petitioner.

WEB COPY

6. 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 V Metropolitan Magistrate Court, Egmore 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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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**



Crl.OP.No.10078 of 2023

**[(2005)AIR SCW 5560].**

WEB COPY

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

04.05.2023

mn

To

- 1.The V Metropolitan Magistrate Court, Egmore.
2. The Inspector of Police,  
K-02, Ayyanavaram Police Station,  
Ayyanavaram,  
Chennai.
3. The Central Prison,  
Puzhal, Chennai.
- 4.The Public Prosecutor,  
High Court of Madras



WEB COPY



Crl.OP.No.10078 of 2023

**G.K.ILANTHIRAIYAN, J.**

mn

Crl.O.P.No.10078 of 2023

04.05.2023