



CrI.O.P.No.12795 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2023

CORAM

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

CrI.O.P.No.12795 of 2023

Ramadoss

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Cuddalore Old Town Police Station,
Cuddalore District.

(Crime No.224 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in Crime No.224 of 2023 on the file
of the respondent police.

For Petitioner : Mr.K.Raveendran

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



Crl.O.P.No.12795 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.04.2023, for the offence punishable under Sections 341, 294(b), 324, 342, 506(2), 307 of IPC, in connection with Crime No.224 of 2023, registered on the file of the respondent, seeks bail.

2. The case of the prosecution as per the de-facto complainant is that due to the previous enmity, the accused had waylaid the de-facto complainant's husband, abused him in a filthy language and assaulted him with iron rod, resulting in him sustaining grievous injuries. 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 de-facto complainant's husband used to tease the wife of the first accused and create problem and thereby, when it was questioned by the first accused and the petitioner, the de facto complainant had lodged a false complaint. He also submitted that the co-accused in this case has been granted anticipatory bail by this Court in Crl.O.P.No.10177 of



Crl.O.P.No.12795 of 2023

2023 vide order dated 02.06.2023. He further submitted that the petitioner is in custody from 26.04.2023 and he is also ready 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 due to the previous enmity, the petitioner along with another accused had assaulted the de-facto complainant's husband with iron rod, resulting in him sustaining grievous injuries. He further submitted that the injured has been discharged from the hospital on 16.05.2023, however, 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) for the respondent and perused the entire 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



Crl.O.P.No.12795 of 2023

note of 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**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Cuddalore**, 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 Vellore and report before the Inspector of Police, Sathuvachari 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 appropriate action against the petitioner in accordance



WEB COPY



Crl.O.P.No.12795 of 2023

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.

09.06.2023

ham

To

1. The Judicial Magistrate No.II,
Cuddalore.
2. The Inspector of Police,
Cuddalore Old Town Police Station,
Cuddalore District.
3. The Sub Jail,
Cuddalore.
4. The Inspector of Police,
Sathuvachari Police Station,
Vellore District.
5. The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.12795 of 2023

A.D.JAGADISH CHANDIRA.,J.

ham

Crl.O.P.No.12795 of 2023

09.06.2023