



Crl.O.P.No.14204 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2023

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

Crl.O.P.No.14204 of 2023

Thillaigovindan @ M.Dhatchanamoorthy

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vellimedupettai Police Station,
Villupuram District.

(Crime No.108 of 2023).

... 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.108 of 2023, pending investigation on the file of the respondent
Police.

For Petitioner : Mr.A.N.Rajan

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 10.06.2023 for the offences punishable under Sections 294(b), 323, 324 and 307 of IPC in Crime No.108 of 2023, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused have abused the defacto complainant in a filthy language and assaulted him with beer bottle and by using hands. 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 further submitted that it is a case and a case in counter in Crime No.109 of 2023 registered for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC. He also submitted that the petitioner is in custody from 10.06.2023, hence, he prayed for grant of bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that due to previous enmity, the petitioner along with other accused have abused the defacto complainant in a filthy language and assaulted him with beer bottle and by using hands. He further submitted that the injured has been discharged from the hospital and it is a case and a case in counter. 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 Police 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 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)**



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with **two sureties**, each for a like sum to the satisfaction of the **learned**

Judicial Magistrate No.I, Tindivanam 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, everyday at 10.30 a.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 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.

26.06.2023

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To

1. The Judicial Magistrate No.I,
Tindivanam.
2. The Inspector of Police,
Vellimedupettai Police Station,
Villupuram District.
3. The Central Prison,
Cuddalore.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA.,J.

Vkr

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