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Crl.O.P.No.14742 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

Crl.O.P.No.14742 of 2023

1.T.Ranjith Kumar
2.H.Stephan Selvaraj
3.P.Jayaraman

...Petitioners

Vs.

The State Represented by,
The Inspector of Police,
T7 – Tank Factory Police Station,
Avadi.
(Crime No.335 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. to enlarge the petitioners on bail in Crime No.335 of 2023 on the file of the respondent police.

For Petitioners : Mr.D.Mario Johnson

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 11.06.2023 for the offences punishable under Sections 341, 294(b), 363, 323 and 307 of IPC in Crime No.335 of 2023 on the file of the respondent police, seek bail.

2. The learned counsel for the petitioners submitted that, petitioners are charged for the offences under Sections 341, 294(b), 363, 323 and 307 of IPC in Crime No.335 of 2023. Petitioners are in judicial custody from 11.06.2023. They are implicated in this case, based on the false complaint given by the defacto complainant. Thus, he prays for grant of bail.

3. In reply, the learned Government Advocate (Crl. Side) oppose this petition, on the ground that, there was a previous enmity between the petitioners and the defacto complainant in connection with a temple festival. On the date of the incident i.e., on 10.06.2023, accused had abducted the defacto complainant and 1st accused attacked the



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defacto complainant with knife and other accused attacked him with legs.

He further submitted that, injured has been discharged from hospital.

Therefore, he prays for dismissing this petition.

4. Considered the fact that, injured has been discharged from the hospital and the fact that petitioners are in judicial custody from 11.06.2023 and the fact that material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.25,000/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Ambattur** 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 report before the respondent police daily 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 absconds, a fresh FIR can be registered under Section 229A IPC.

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To

- 1.The Judicial Magistrate Court,
Ambattur.
- 2.The Central Prison-II,
Puzhal.
- 3.The Inspector of Police,
T7 – Tank Factory Police Station,
Avadi.
- 4.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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