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Crl.OP.No.15185 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2023

CORAM

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

Crl.OP.No.15185 of 2023

Ottavada Mani @ Manikandan

..Petitioner

Vs.

The State Rep. By
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
Crime No.308 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.308 of 2023 on the
file of the respondent police.

For Petitioner : Mr.D.Manoj Kumar

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



Crl.OP.No.15185 of 2023

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.06.2023 for the offences punishable under Sections 341, 294(b), 323, 397, 336 & 506(ii) of IPC in Crime No.308 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent and he has been falsely implicated in a case registered for the offence under Sections 341, 294(b), 323, 397, 336 & 506(ii) of IPC. The allegations made in the First Information Report are totally false for the reason that petitioner himself had given a complaint against one Pandi alleging that Pandi had hit him on 17.06.2023 at about 2.00.p., at MKP Nagar, Vyasarbadi. As a result, he suffered fracture injuries. Hence, he seeks bail to the petitioner.

3. The learned counsel for the petitioner produced the copy of the O.P.Sheet to show that, petitioner was also attacked with iron rod in the alleged incident.

4. The learned Government Advocate (Crl. Side) submitted



CrI.OP.No.15185 of 2023

that, apart from this case, there are twelve previous cases pending against the petitioner including murder case. Hence, he strongly opposed for grant of bail to the petitioner.

5. Considering the fact that the petitioner was also injured in the connected criminal case and he is in Judicial Custody from 17.06.2023 and that the material part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail on his executing a 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 **X Metropolitan Magistrate, Egmore at Chennai** 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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CrI.OP.No.15185 of 2023

[b] the petitioner shall report before the respondent police daily 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 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.

17.07.2023

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CrI.OP.No.15185 of 2023

1. X Metropolitan Magistrate,
Egmore, Chennai.
2. The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai.
3. Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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Crl.OP.No.15185 of 2023

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Crl.O.P.No.15185 of 2023

17.07.2023