



WEB COPY



CrI.OP.No.17355 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

CrI.OP.No.17355 of 2023

Magendiran

...Petitioner

Vs.

The State Rep by its
The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.403 of 2023 pending investigation on the file of the respondent Police.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.07.2023 for the offences punishable under Section 294 (b), 324, 506 (ii) of I.P.C, subsequently altered into 294 (b), 323, 506 (ii) and 307



CrI.OP.No.17355 of 2023

I.P.C. in Crime No.403 of 2023 on the file of the respondent police, seek bail.

2.The learned counsel for the petitioner submitted that due to previous enmity, defacto-complainant gave a false complaint. Petitioner is in judicial custody from 07.07.2023. Thus, he seeks bail.

3.In response, the learned Government Advocate (Criminal Side) submitted that the relationship between the defacto-complainant and accused is not good. On 05.07.2023 at about 06.15 p.m, the defacto-complainant and his wife came home from Soolagiri in his scooty, petitioner scolded them in filthy language. When defacto-complainant's wife's brother Mani intervened, petitioner/Magendiran had stabbed him in his stomach. Then he made criminal intimidation. Injured had been treated and discharged.

4.Considered the rival submissions and perused the records.



Crl.OP.No.17355 of 2023

WEB COPY

5.Considering the nature of incident and that injured had been treated and discharged, and that petitioner is in judicial custody from 07.07.2023, this Court is inclined to grant bail to the petitioner with conditions.

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 **learned Judicial Magistrate No.II, Hosur**, 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 morning at 10.30.a.m., and evening at 5.30 p.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.



WEB COPY



CrI.OP.No.17355 of 2023

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

03.08.2023

ep



WEB COPY



CrI.OP.No.17355 of 2023

To

1.The Judicial Magistrate No.II, Hosur.

2.The Inspector of Police,
Shoolagiri Police Station,
Krishnagiri District.

3.Sub Jail, Hosur.

4.The Public Prosecutor,
High Court of Madras



WEB COPY



Crl.OP.No.17355 of 2023

G.CHANDRASEKHARAN. J.

ep

Crl.OP.No.17355 of 2023



WEB COPY



Crl.OP.No.17355 of 2023

03.08.2023