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Crl.OP.No.18118 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

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THE HON'BLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.OP.No.18118 of 2023

1.Perumal

2.Radha @ Thangam

3.Kanjana

...Petitioners

Vs.

The State Rep by
The Inspector of Police,
Kondapalayam Police Station, Kondapalayam,
Ranipet District.
(Crime No.94 of 2023)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Crime No.94 of 2023 on the
file of the respondent.

For Petitioners : Mr.K.G.Senthil Kumar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 24.07.2023 for the offence punishable under Sections 294 (b), 323, 324, 506 (ii) and 307 of I.P.C., in Crime No.94 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioners submitted that in a fight between the defacto-complainant's family and accused, as a result of previous enmity, exaggerated and false complaint had been given against the petitioners. Petitioners are in judicial custody from 24.07.2023. Thus, he seeks bail.

3.In response, the learned Additional Public Prosecutor submitted that there is previous enmity between the family of defacto-complainant and petitioners/accused. On 23.07.2023, at about 18.30 hours, cow and calf of petitioner's had eaten the crops in the land of the defacto-complainant. When he asked the accused why they allowed their cow and



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calf to graze his land, the accused had come with knife and started attacking defacto-complainant and his mother. As a result, both suffered injuries. Injured had been treated and discharged.

4.Considered the rival submissions and perused the records.

5.Considering the circumstances under which the incident had happened, that injured had been treated and discharged and that petitioners are in judicial custody from 24.07.2023 and that material part of investigation in this case might have been completed by this time, this Court is inclined to grant bail to the petitioners with conditions.

6. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.10,000/-** each (Rupees Ten Thousand only) each with **two sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate , Sholingur, Ranipet District**, and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10.00.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,
Sholingur.
Ranipet District.
- 2.The Inspector of Police,
Kondapalayam Police Station, Kondapalayam,
Ranipet District.
- 3.Central Prison, Vellore.
- 4.Central Prison for Women, Vellore.
- 5.The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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