



WEB COPY



CrI.OP.No.23012 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

CrI.OP.No.23012 of 2023

A.Samuel

...Petitioner

Vs.

State rep. by
The Inspector of Police,
Veeraganur Police Station,
Salem District.
(Crime No.127 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.127 of 2023, on the
file of the Respondent Police.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody
on 27.08.2023 for the offence punishable under Sections 294(b) and 307



CrI.OP.No.23012 of 2023

of IPC in Crime No.127 of 2023 on the file of the respondent police, seeks bail.

2.The petitioner is a single accused in this case. It is stated that the petitioner along with the injured had gone over for a function and there was a quarrel leading to a assault.

3.On the side of the respondent, it is stated that the injured were three persons namely the defacto complainant, his brother and son of the brother.

4.The learned counsel for the petitioner stated that the petitioner has also given a complaint against the defacto complainant which has been registered as Crime No.128 of 2023.

5.Taking into consideration all these facts and the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 Judicial Magistrate No.I, Atthur, and on further conditions that:



CrI.OP.No.23012 of 2023

[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 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 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.

10.10.2023

vkrr



WEB COPY



CrI.OP.No.23012 of 2023

C.V.KARTHIKEYAN. J.

vkf

To

- 1.The Judicial Magistrate No.I, Atthur.
- 2.Central Prison, Salem.
- 3.The Inspector of Police,
Veeraganur Police Station,
Salem District.
- 4.The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.23012 of 2023

10.10.2023