



CrI.OP.No.23679 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

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

CrI.OP.No.23679 of 2023

Balamurugan

...Petitioner/Accused No.3

Vs.

The State represented by
Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.
Crime No.195 of 2023.

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail in connection with the case in Crime No.195 of 2023 pending investigation on the file of the Respondent police.

For Petitioner : Mr.D.Lakshmipathy

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 03.10.2023 for the offence punishable under Sections 294(b), 341,



CrI.OP.No.23679 of 2023

324, 506(ii) and 307 of IPC, in Crime No.195 of 2023 on the file of the respondent police, seeks bail.

2.It is stated that on 05.09.2023, there was a quarrel between A1 and the defacto complainant while drinking alcohol. Subsequently, two other accused had also gone over to A1 and and assaulted the defacto complainant.

3.It is stated that A1 in this case had been taken into custody and thereafter, granted bail.

4.In view of that particular fact and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

5.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 learned District Munsif cum Judicial Magistrate, Neyveli 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



CrI.OP.No.23679 of 2023

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.

13.10.2023

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To

1.The District Munsif cum Judicial Magistrate, Neyveli.

2.The Central Prison, Cuddalore.



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Crl.OP.No.23679 of 2023

C.V.KARTHIKEYAN. J.

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3. Inspector of Police,
Neyveli Thermal Police Station,
Cuddalore District.

4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.23679 of 2023

13.10.2023