



Crl.OP.No.23722 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

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

Crl.OP.No.23722 of 2023

Kishore Kannan S/o. Raja

...Petitioner

Vs.

State by
The Inspector of Police,
T-4, Maduravoil Police Station,
Chennai.
(Crime No.584 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner/Accused on bail concerned in Crime No.584 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.A.Murugavel

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 14.08.2023 for the offences punishable under Sections 341, 325 &



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307 of IPC, in Crime No.584 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that the defacto complainant was riding his two wheeler bearing Regn.No.TN-02-b-0766 and owing to the rain water, it was splashed on some of the passers-by. The petitioner entered into quarrel and as a result of which, the victim was injured.

3. It is stated by the learned counsel for the petitioner that the petitioner was an innocent and he has been falsely implicated in this case. He further stated that the petitioner had not at all committed the said offence as alleged by the prosecution. Hence, he prays for grant of bail to the petitioner.

4. On the side of the respondent, it is stated that there was wordy quarrel in respect of splashing of rain water on the defacto complainant by his two wheeler, due to which, the defacto complainant was attacked by the petitioner and sustained injuries. It is further stated the injured had



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been discharged from the Hospital. However, he objected to grant bail to the petitioner.

5. Taking into consideration the fact that the injured had been discharged from the hospital, 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.1, Poonamallee, 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 daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.



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[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.

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To

1.The Judicial Magistrate No.I, Poonamallee.

2.Central Prison, Puzhal, Chennai.

3.The Inspector of Police,
T-4, Maduravoil Police Station,
Chennai.

4.The Public Prosecutor.
High Court of Madras.

C.V.KARTHIKEYAN. J.



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