



Crl.OP.No.23804 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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

Crl.OP.No.23804 of 2023

Selvaraj S/o. Muthusamy

... Petitioner

Vs.

State by
The Inspector of Police,
Dharapuram,
Tiruppur District.
(Crime No.461 of 2023)

...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the Petitioner on bail concerned in Crime No.461 of 2023 pending on the file of the respondent police.

For Petitioner : Mr.D.Padmanabhan

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 27.09.2023 for the offences punishable under Section 307 of IPC, in Crime No.461 of 2023 on the file of the respondent police, seeks bail.

2. It is stated that the defacto complainant has properties at Ponnapuram Village. It is also stated that there were several disputes with respect to the said property. While the defacto complainant proceeding his two-wheeler bearing Regn.No.TN-42-AZ-4132, a Swift car bearing Regn.No.TN-37-BC-1616 hit on the back side of the said two-wheeler, due to which, the defacto complainant sustained injuries.

3. There is an issue whether the defacto complainant had been discharged from the hospital or not. The learned counsel for the petitioner asserted that the injured had been discharged from the hospital but there is representation on behalf of the defacto complainant and stated that the injured had not been discharged from the hospital. However, on the side of the respondent it is confirmed that the injured had been discharged from the hospital. In view of that particular fact, I



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am inclined to grant bail to the petitioner with certain conditions:

4. 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 Dharapuram, 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 appear before the respondent police everyday 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



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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.

19.10.2023

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To

- 1.The Judicial Magistrate, Dharapuram.
- 2.Sub-jail, Dharapuram, Tiruppur District.
- 3.The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
- 4.The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.



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