



WEB COPY



Crl.O.P.No. 25055 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

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

Crl.O.P.No.25055 of 2023

Sabarish @ Pitako

... Petitioner

Vs.

The State rep. by:-
The Inspector of Police,
Thiruvottiyur Police Station,
Thiruvallur District.
(Crime No.621 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,

pleased to enlarge the petitioner / Accused on bail in Crime No.621 of 2023

pending on the file of the respondent Police.

For Petitioner : Mr.S.Silambuselvan

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

ORDER

The petitioner/A2 who was arrested and remanded to judicial custody on 13.09.2023, registered by the respondent Police for the offences



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under Sections 341, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.621 of 2023, Seeks bail.

2.This is second application for bail filed by the petitioner. In the earlier application, it has been noted that there are 17 stitches put on the head of the injured, quite apart from 79 stitches all over the body. Both the accused have been secured.

3.It is contended by the learned counsel for the petitioner that the petitioner had only used his hand and A1 had used knife and committed the offence.

4.Taking into consideration the period of incarceration undergone by the petitioner and the overt act against 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 Judicial Magistrate, Thiruvottiyur, 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



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ensure their identity.

[b] the petitioner shall report 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 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.

01.11.2023

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To

1. The Judicial Magistrate, Thiruvottiyur.

2. The Inspector of Police,
Thiruvottiyur Police Station,
Thiruvallur District.



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3. The Central Prison, Puzhal.

4. The Public Prosecutor,
High Court of Madras.

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