



Crl.O.P.No.25355 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2023

CORAM

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

Crl.O.P.No.25355 of 2023

Prakash S/o. Moorthi

... Petitioner/Accused-3

Vs.

State by
The Inspector of Police,
Kattoor Police Station,
Coimbatore District.

(Crime No.277 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.277 of 2023 on the file of the respondent police with terms and conditions.

For Petitioner : Mr.M.Vijayaragavan

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



CrI.O.P.No.25355 of 2023

WEB COPY

ORDER

The petitioner seeks bail in Crime No.277 of 2023, registered by the respondent police for the offences punishable under Sections 120(B), 147, 148, 294(b), 307 & 506(ii) of IPC. The petitioner had been taken into custody on 16.09.2023.

2.It is stated by the learned counsel for the petitioner that A1, A2 and A5 had been granted bail.

3.It is stated that the injured was an accused in yet another case and when he came over to Judicial Magistrate III, Coimbatore, the accused had seen him and assaulted him, which necessitated lodging of complaint and registration of FIR. However, the injured had been discharged from the hospital.

4.Taking into consideration the fact that the injured had been discharged from the hospital and that the petitioner had been in custody from 16.09.2023, I am inclined to grant bail to the petitioner subject to the following conditions:



Crl.O.P.No.25355 of 2023

WEB COPY

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 Judicial Magistrate No.II, Coimbatore, 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 everyday Morning at 10.30 a.m., and Evening at 6.00 p.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



CrI.O.P.No.25355 of 2023

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.

10.11.2023

ata



WEB COPY



Crl.O.P.No.25355 of 2023

To

1. The Judicial Magistrate No.II, Coimbatore.
- 2.The Sub-jail, Gobichettipalayam.
- 3.The Inspector of Police,
Kattoor Police Station,
Coimbatore District.
- 4.The Public Prosecutor,
High Court of Madras.



WEB COPY



Crl.O.P.No.25355 of 2023

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.25355 of 2023

10.11.2023