



Crl.O.P.No.24833 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2023

CORAM

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

Crl.O.P.No.24833 of 2023

1.Kanniyappan S/o. Krishnan
2.Prem Kumar S/o. Velu
3.Madan Kumar S/o. Kanniyappan ... Petitioners/Accused

Vs.

State by
The Inspector of Police,
T-7, Tank Factory Police Station (L& O),
Avadi, Chennai.

(Crime No.633 of 2023) ...Respondent

Prayer: Criminal Original Petition filed under Section 439 of Cr.P.C.
praying to enlarge the Petitioners on bail concerned in Crime No.633 of
2023 on the file of the respondent police with terms and conditions.

For Petitioners : Mr.S.Senthilkumar

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



WEB COPY



Crl.O.P.No.24833 of 2023

ORDER

The petitioners seek bail in Crime No.633 of 2023, registered by the respondent police for the offences punishable under Sections 120(B), 147, 148, 341, 294(b), 307 & 506(ii) of IPC. They had been remanded to judicial custody on 03.10.2023.

2.It is stated that there was previous enmity between the injured and the 1st accused. The injured had shifted the place of residence and when he came over to meet his sister all the accused had committed the above mentioned offences.

3.Taking into consideration the fact that there is no previous case pending against the petitioners and that the period of incarceration and taking note of the fact that the injured had been discharged from the hospital, I am inclined to grant bail to the petitioner subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the



Crl.O.P.No.24833 of 2023

satisfaction of the Judicial Magistrate, Ambattur, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

16.11.2023

ata



WEB COPY



Crl.O.P.No.24833 of 2023

C.V.KARTHIKEYAN. J.

ata

To

1. The Judicial Magistrate, Ambattur.
2. The Central Prison No.II, Puzhal, Chennai.
3. The Inspector of Police,
T-7, Tank Factory Police Station (L& O),
Avadi, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.24833 of 2023

16.11.2023