



CrI.O.P.No.24970 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2023

CORAM

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

CrI.O.P.No.24970 of 2023

Pratheep S/o. Pargunan

... Petitioner/Accused-7

Vs.

State by
The Inspector of Police,
Kanai Police Station,
Villupuram District.

(Crime No.410 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.410 of
2023 on the file of the respondent police.

For Petitioner : Mr.R.Rajadurai

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



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ORDER

The petitioner/A7 seeks bail in Crime No.410 of 2023, registered by the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) & 307 of IPC r/w Section 4 of Tamil Nadu Women Harassment Act. The petitioner had been remanded to judicial custody on 05.10.2023.

2. It is the case of the prosecution that the defacto complainant and the 1st accused are residing in the same village and there is land dispute between them, which escalated the family members leading to quarrel, which further escalated into violence and assault.

3. It is stated that the injured had been discharged from the hospital and a counter case was also lodged against the defacto complainant as FIR in Crime No.409 of 2023.

4. It is also stated that some of the accused have surrendered before the Magistrate Court and have also been granted bail.



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5. Taking into consideration all these factors, I am inclined to grant bail to the petitioner herein subject to the following 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 Chief Judicial Magistrate, Villupuram, 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 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.



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[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 Chief Judicial Magistrate, Villupuram.
2. The Central Prison, Puzhal, Chennai.
3. The Inspector of Police,
Kanai Police Station,
Villupuram District.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

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