

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.25979 of 2023

Manickavignesh S/o. Mariyappan

... Petitioner/Accused-2

Vs.

State by
The Inspector of Police,
Nungambakkam Police Station,
Chennai.

(Crime No.227 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.227 of 2023 on the file of the respondent police with terms and conditions.

For Petitioner : M/s.Z.Rifa Fathima

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

ORDER

The petitioner is A5 in Crime No.227 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 & 506(2) of IPC and subsequently altered to Sections 336 & 307 of IPC, seeks bail. The petitioner had been taken into custody on 31.10.2023.

2.It is the case of the prosecution that the defacto complainant had gone to the hotel for a party and apparently, there was quarrel, which escalated into violence and when he came out from the hotel, the accused had joined together and assaulted him.

3.It is stated that the injured had been discharged from the hospital.

4.Taking into consideration 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:

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 XIV Metropolitan Magistrate Court, Egmore, Chennai, 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 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.

10.11.2023

ata

To

1. The XIV Metropolitan Magistrate Court, Egmore, Chennai
- 2.The Sub-jail, Saidapet.
- 3.The Inspector of Police,
Nungambakkam Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.25979 of 2023

C.V.KARTHIKEYAN. J.

ata

Crl.O.P.No.25979 of 2023

10.11.2023