



CrI.O.P.No.26591 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2023

CORAM

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

CrI.O.P.No.26591 of 2023

1.Suresh S/o.Kanniyappan

2.Balaji S/o.Sundhar

...Petitioners/Accused 2 & 4

Vs.

State rep. by
Inspector of Police,
T-7 Avadi Tank Factory Police Station,
Chennai.
(Crime No.633 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.633 of 2023 on the file of the Inspector of Police, T-7 Avadi Tank Factory Police Station, on such terms and conditions.

For Petitioners : Mr.D.Manojkumar

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



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ORDER

The petitioners/A2 & A4 seek bail in Crime No.633 of 2023, registered by the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 307 & 506(ii) of IPC r/w 120(B) of IPC. They had been remanded to judicial custody on 03.10.2023.

2.It is the case of the prosecution that there was previous enmity. The injured had shifted to the residence of his mother-in-law's house and later he came to his village, at that point of time, all the accused assaulted him, leading to lodging of complaint and registration of FIR.

3.It is also stated that other accused had been granted bail and the injured had been discharged from the hospital. It is further stated that substantial progress has been made in the investigation.

4.In view of all these facts, I am inclined to grant bail to the petitioners subject to the following conditions.

4.Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate at Ambattur and on further



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conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] the petitioners shall report before the respondent police everyday morning 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.

24.11.2023

rjr/ata

C.V.KARTHIKEYAN. J.

rjr



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To

1. The Judicial Magistrate, Ambattur.
2. Central Prison, Puzhal.
3. Inspector of Police,
T-7 Avadi Tank Factory Police Station,
Chennai.
4. The Public Prosecutor,
High Court of Madras.

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24.11.2023