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CrI.OP.No.26610 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

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

CrI.OP.No.26610 of 2023

K.Vijayakumar

...Petitioner

Vs.

The State represented by its
The Sub Inspector of Police,
Kannamangalam Police Station,
Tiruvannamalai District.
Crime No.644 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.644 of 2023 on the file of the respondent Police.

For Petitioner : Mr.Sanjay N Gandhi

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 05.11.2023 for the offence punishable under Sections 294(b), 323,



CrI.OP.No.26610 of 2023

324 and 506(ii) of IPC, in Crime No.644 of 2023 on the file of the respondent police, seeks bail.

2. There is one more accused who has not yet been secured. When the defacto complainant and his friend came in a two wheeler, the accused persons came on the opposite direction and there was a quarrel between them which led to assault.

3. Taking into consideration all the factors and the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

4. 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 learned Judicial Magistrate, Arni, Tiruvannamalai, 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 daily at 10.30 a.m., for a period of



CrI.OP.No.26610 of 2023

two weeks and thereafter, as and when required for interrogation;

[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.

28.11.2023

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To

- 1.The Judicial Magistrate, Arni, Tiruvannamalai.
- 2.Central Prison, Coimbatore.
- 3.The Sub Inspector of Police,
Kannamangalam Police Station,Tiruvannamalai District.
- 4.The Public Prosecutor, High Court of Madras.



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Crl.OP.No.26610 of 2023

C.V.KARTHIKEYAN. J.

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Crl.O.P.No.26610 of 2023

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