



Crl.O.P.No.28057 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

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

Crl.O.P.No.28057 of 2023

S.Guna S/o. Sivakumar

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Nallur Police Station,
Tiruppur City.

(Crime No.703 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.703 of 2023 on the file
of the respondent police on such terms and conditions.

For Petitioner : Mr.S.Selvakumar

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



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Crl.O.P.No.28057 of 2023

ORDER

The petitioner/A2 seeks bail in Crime No.703 of 2023, registered by the respondent police for the offences punishable under Sections 341, 294(b), 395 & 397 of IPC with reference to an occurrence which took place on 21.08.2023. The petitioner had been remanded to custody on 22.08.2023.

2.It is stated that there was a wordy quarrel between the accused persons and the defacto complainant, which escalated into violence, leading to lodging of complaint and registration of FIR.

3.It is stated that investigation has been completed and final report had also been filed and the same had been taken cognizance as PRC.No.113 of 2023 by the Judicial Magistrate IV, Tiruppur.

4.In view of that particular fact, 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 Judicial Magistrate No.4, Tiruppur, and on further conditions that:



Crl.O.P.No.28057 of 2023

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[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 appear before the Judicial Magistrate No.IV, Tiruppur, everyday at 10.30 a.m., till the case is committed to the Court of Sessions and thereafter, on Court hearing dates.

[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.

14.12.2023

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CrI.O.P.No.28057 of 2023

C.V.KARTHIKEYAN, J.

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To

- 1.The Judicial Magistrate No.4, Tiruppur.
- 2.The Inspector of Police,
Nallur Police Station,
Tiruppur City.
- 3.The Central Prison, Coimbatore.
4. The Public Prosecutor,
High Court of Madras.

CrI.O.P.No.28057 of 2023

14.12.2023