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CrI.O.P.No.28851 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2023

CORAM

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

CrI.OP.No.28851 of 2023

Manjunath

...Petitioner

Vs.

State: The Inspector of Police,
Uddanappalli Police Station,
Krishnagiri District.
(Crime No.325 of 2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.325 of 2023 on the file of the respondent police.

For Petitioner : Mr.M.P.Saravanan
For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal side)

ORDER

The petitioner in Crime No.325 of 2023 registered by the respondent Police for the offences under Sections 294 (b), 324, 506 (ii) IPC, subsequently altered to Sections 294 (b), 326, 506 (ii) IPC and remanded to judicial custody on 30.11.2023 seeks bail.



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2.It is stated that the petitioner is the owner of a textile shop and the injured is an Auto Driver, who parked his Auto in front of the textile shop of the petitioner herein. This led to quarrel, which escalated to violence leading to lodging of complaint and registration of FIR.

3.Taking all factors into consideration and the period of incarceration suffered by the petitioner, I am inclined to grant bail to the petitioner subject to the following 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 **Judicial Magistrate No.II, Hosur**, 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 everyday at 10.00 a.m., for a period of two weeks and thereafter as and when required.

[c] the petitioner shall not abscond either during



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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.

22.12.2023

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To

1. The Judicial Magistrate No.II, Hosur.

2.The Inspector of Police,
Uddanappalli Police Station,
Krishnagiri District.
(Crime No.325 of 2023)

3.Central Prison, Salem.

4.The Public Prosecutor, Madras High Court.

C.V.KARTHIKEYAN, J.



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