



Crl.O.P.no.29126 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.12.2023

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

Crl.O.P.No.29126 of 2023

1.Vinothkumar @ Siluvai
Son of Vijayanathan

2. Manikandan
Son of Selvam

3. Kugan
Son of Selvam

... Petitioners

Vs

State Rep. By
The Inspector of Police
Ranipet Police Station
Ranipet District

... Respondent

Petition filed under Sec.439 of Cr.P.C to enlarge the petitioners on bail in Crime No.655 of 2023 pending investigation on the file of the respondent police.



Crl.O.P.no.29126 of 2023

For Petitioners : Mr.R.Sasikumar

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial custody on 05.12.2023 for an offence under sections 294(b), 323, 341 and 307 IPC in Crime No. 655 of 2023 on the file of Ranipet Police Station, Ranipet District, seek bail.

2. It is the case of the prosecution that there was a wordy quarrel regarding Diwali Chit Fund due to which the petitioners attacked the *defacto* complainant resulting in the registration of FIR.

3. The learned counsel appearing for the petitioners would contend that the injured has been discharged from the hospital and hence, he prays for grant of bail.



Crl.O.P.no.29126 of 2023

4. The learned Additional Public Prosecutor appearing for the respondent police would contend that there was a dispute regarding chit amount due to which the petitioners said to have attacked the *defacto* complainant. The Additional Public Prosecutor strongly opposed to grant bail to the petitioners.

4. Heard both sides and perused the materials available on record including the First Information Report.

5. Considering the submissions made on either side, considering the period of incarceration and also considering the fact that injured has been discharged from the hospital, this court is inclined to grant bail to the petitioners subject to the following conditions:

[a] Accordingly, the petitioners are 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, Ranipet and on further conditions that:

[b] the petitioners shall report before respondent police daily at 10.00 A.M., until further orders.



Crl.O.P.no.29126 of 2023

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[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.12.2023

index: Yes/No
Internet: Yes/No
Speaking/Non Speaking order
gpa/dpa



Crl.O.P.no.29126 of 2023

TO

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1. Judicial Magistrate, Ranipet
2. Central Prison, Vellore
3. The Inspector of Police
Ranipet Police Station
Ranipet District
4. The Public Prosecutor,
Madras High Court,
Chennai.



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Crl.O.P.no.29126 of 2023

P.DHANABAL,J

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Crl.O.P.No.29126 of 2023

28.12.2023