



WEB COPY



Crl.O.P.No.290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

CORAM

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

Crl.O.P.No.290 of 2024

Venkatesan

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
Omalur Police Station,  
Salem District.  
Crime No.806 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.806 of 2023 on the file  
of the respondent Police.

For Petitioner : Mr.M.Sivakumar

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl. Side)

**ORDER**

The petitioner who was arrested and remanded to judicial custody  
on 01.12.2023 for the offences originally registered under Sections 294(b),



Crl.O.P.No.290 of 2024

323, 324, 506(i) of IPC and subsequently, altered to Sections 294(b), 323, 324, 307 & 506(ii) of IPC in Crime No.806 of 2023 on the file of the respondent Police, seeks bail.

2.The case of the prosecution is that owing to the previous enmity, the petitioner along with two other accused had assaulted the defacto complainant with iron rod and stones.

3.The learned Government Advocate (crl.side) stated that the injured had been discharged from the hospital.

4.Taking all the factors into consideration and the period of incarceration, 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 learned Judicial Magistrate, Omalur, 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, everyday at 10.30 a.m, 1.30 p.m and 6.30 p.m., until further orders.**



Crl.O.P.No.290 of 2024

WEB COPY

**[c] the petitioner must execute the sureties by stating that he could not cause any interference to the defacto complainant any further.**

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

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

[f] 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].

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

09.01.2024

vkr

To

- 1.The Judicial Magistrate, Omalur.
- 2.The Central Prison, Salem.
- 3.The Inspector of Police,  
Omalur Police Station, Salem District.
4. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.No.290 of 2024

**C.V.KARTHIKEYAN,J.**

Vkr

Crl.O.P.No.290 of 2024

09.01.2024