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Crl.O.P.Nos.855 & 886 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

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

**Crl.O.P.Nos.855 & 886 of 2024**

Ram Kumar S/o. Ganesan

...Petitioner/Accused-2  
in Crl.O.P.No.855 of 2024

Vimal @ Vimal Kumar S/o. Duraisamy

...Petitioner/Accused-1  
in Crl.O.P.No.886 of 2024

Vs.

State represented by  
The Inspector of Police,  
Kaniyur Police Station,  
Madathukulam,  
Tiruppur District.

(Crime No.183 of 2023)

...Respondent in both Crl.O.Ps.

**COMMON PRAYER:** Criminal Original Petitions filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail concerned in Crime No.183 of 2023 on the file of the respondent on such terms and conditions.

(In both Crl.O.Ps.)

For Petitioner : Mr.S.Arivazhagan

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



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## COMMON ORDER

The 1<sup>st</sup> accused has filed Crl.O.P.No.886 of 2024 and the 2<sup>nd</sup> accused has filed Crl.O.P.No.855 of 2024, both in Crime No.183 of 2023, registered by the respondent police for the offences under Sections 294(b), 323, 324 & 506(2) of IPC with respect to an incident which took place on 07.12.2023, seek bail. The petitioners had been remanded to custody on 07.12.2023.

2.It is stated that the defacto complainant was riding his vehicle towards to his home and the accused were also riding their vehicle and there was a quarrel which escalated into violence.

3.It is stated that there is one previous case against A2 but however, taking all other factors into consideration and the period of incarceration, I am inclined to grant bail to the petitioners in both the criminal original petitions subject to the following conditions:

4.Accordingly, the petitioners in both the criminal original petitions are ordered to be released on bail on condition to execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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each with two sureties, each for a like sum to the satisfaction of the District Munsif cum Judicial Magistrate, Madathukulam, Tiruppur District, 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.**

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

[d] the petitioners 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 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].

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

18.01.2024

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

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To

- 1.The District Munsif cum Judicial Magistrate, Madathukulam,  
Tiruppur District.
- 2.Sub Jail, Udumalaipettai, Thiruppur District.
- 3.The Inspector of Police,  
Kaniyur Police Station,  
Madathukulam, Tiruppur District.
- 4.The Public Prosecutor,  
High Court of Madras.

CrI.O.P.No.855 of 2024

18.01.2024