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Crl.O.P.No.2290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Crl.O.P.No.2290 of 2024

Madhan @ Madhankumar

... Petitioner

Vs.

State Represented by its  
the station house officer,  
T.R. Pattinam Police Station,  
Karaikal District.

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.115 of 2023 on the file of  
the respondent Police.

For Petitioner : Mr. V. Vivek

For Respondent : Mr.K.S.Mohandass  
Public Prosecutor (Puducherry)  
Assisted by M/s.N.Danalatchumy

**ORDER**

The petitioner who was arrested and remanded to judicial custody  
on 07.12.2023 for the offences registered under Sections 307 of IPC r/w 34 of  
I.P.C altered to Sections 341,307,120(b) r/w Section 34 of I.P.C in  
Cr.No.115 of 2023 on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that the petitioner along with three



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accused had come in a two wheeler and assaulted the defacto complainant with aruval. The specific overtact as against this petitioner is that he assaulted the defacto complainant with an arruval in his forehead and attempted to commit murder him. It is the reason why the provision under section 307 of I.P.C had been included as one of the offences.

3. The learned Government Advocate(crl side) submitted that there are two previous cases pending against the petitioner. A3 had been granted bail by the Sessions Judge at Karaikal. He further submitted that the injured had been discharged from the hospital.

4.Taking into consideration the period of incarceration and also of the fact that **the injured had been discharged from the hospital**, 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 I at Karaikal** 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.



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**[b]the petitioner shall report before the Thirunallar Police Station daily at 10.30 a.m., until further orders.**

[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.

**21.02.2024**

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

smn

To

1.The **Judicial Magistrate I at Karaikal**

2. The station house officer,  
T.R. Pattinam Police Station,  
Karaikal District.

3.The **Central Prison, Pondichery.**

4. The Public Prosecutor, High Court of Madras.

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