



WEB COPY



Crl.O.P.No.3544 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2024

CORAM

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

Crl.O.P.No.3544 of 2024

Jabaraj

...Petitioner/Accused

Vs.

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

(Crime No.3 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail concerned in Crime No.3 of 2024 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.A.Saranraj

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

ORDER

The petitioner/A1 in Crime No.3 of 2024, registered by the respondent police for the offences under Sections 294(b), 323, 307 of IPC



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and remanded to judicial custody on 03.01.2024 with respect to an incident which happened on 30.12.2023, seeks bail.

2.It is stated that there are three accused. It is stated that they had became drunk in a TASMAL bar and there was a quarrel between the accused and the defacto complainant who was then attacked. He had been discharged from hospital.

3.It is also stated that there are five previous cases against the petitioner but however, taking into consideration the period of incarceration and 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:

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, Palladam, 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



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everyday 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.

16.02.2024

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C.V.KARTHIKEYAN. J.

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To
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1. The Judicial Magistrate, Palladam.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
Palladam Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court of Madras.

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