



Cr.O.P.No.3897 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2024

CORAM

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

Cr.O.P.No.3897 of 2024

1.Kaviyarasu
2.Elamathivanan

...Petitioners

Vs.

State represented by
The Inspector of Police,
Gingee Police Station,
Villupuram District.
(Crime No.73 of 2024)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.73 of 2024 on the file of the respondent Police.

For Petitioners : Mr.M.Gnanasekar

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



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ORDER

The petitioners who were arrested and remanded to judicial custody on 17.01.2024 registered by the respondent Police for the offences under Sections 294(b), 323, 353, 307 of IPC in Crime No.73 of 2024, seeks bail.

2.The case of the prosecution is that the respondent had received information about one Manikandan being attacked and went over to that place and found the accused and also the said Manikandan who stated that he has been assaulted by the accused and his motorcycle had also been damaged. When the respondent tried to secure the accused, they inturn assaulted the respondent.

3.It is stated that A1 and A2 had been granted bail.

4.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

5. Accordingly, the petitioners are ordered to be released on bail on executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Gingee and on further



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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.

21.02.2024

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C.V.KARTHIKEYAN. J.



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To

1. The Judicial Magistrate, Gingee.
2. The Sub Jail, Villupuram.
3. The Inspector of Police,
Gingee Police Station,
Villupuram District.
4. The Public Prosecutor, High Court of Madras.

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