



Crl.O.P.No.6481 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2024

CORAM

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

Crl.O.P.No.6481 of 2024

M.K.Ramesh

..Petitioner

Vs.

State represented by
The Inspector of Police,
B6, Mappedu Police Station,
Mappedu, Thiruvallur District.
(Crime No.77 of 2024).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.77 of 2024 on the file of the respondent police.

For Petitioner : Mr.S.Baskaran

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 26.02.2024 for the offences registered by the respondent Police under



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Sections 342, 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.77 of 2024 on the file of the respondent, seeks bail.

2.It is stated that the occurrence took place on 25.01.2024 and the complaint was lodged only on 25.02.2024.

3.It is the case of the prosecution is that the defacto complainant had stated that he had gone to Ulundai Village Panchayat Office on a consequent to a show cause notice which was issued and at that time, the petitioner had scolded the defacto complainant and assaulted him and tried to kill him by strangulating his neck.

4.But the reason for the dispute has not been listed and the reason for the delay in lodging the complaint had also not been disclosed. The defacto complainant was treated as out patient.

5.The matter came up earlier on 15.03.2024, when opportunity was granted to the defacto complainant to file necessary intervening application. Though a representation is made, it is clear that the Advocate who made the representation, was not authorised to do so.

6.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioner subject



to the following conditions:

7. 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 No.II, Thiruvallur 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., for a period of three weeks and thereafter, as and when required for interrogation.

[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



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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.

19.03.2024

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To

- 1.The Judicial Magistrate No.II, Thiruvallur.
2. The Central Prison, Puzhal.
- 3.The Inspector of Police,
B6, Mappedu Police Station,
Mappedu, Thiruvallur District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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