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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.O.P.No.10522 of 2024

1.Ragupathi
2.Sethupathi

... Petitioners

Vs.

State Rep by.
The Inspector of Police
Pernambut Police Station,
Pernambut, Vellor District. Crime No. 181 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to order enlarge the petitioners on bail pending investigation in crime
No. 181 of 2024 on the file of the Inspector of Police, Pernambut Police
Station, Pernambut, Vellor District.

For Petitioner : Mr.G.Vinodhkumar
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.04.2024 for the alleged offences punishable under Sections 294(b), 323, 324, 307 and 506 (ii) IPC in crime No. 181 of 2024 on the file of the respondent, seeks bail.

2. The case of the prosecution is that the petitioner along with other accused persons were attempted to murder the defacto complainant by assaulting him with knife and also he sustained injuries. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. On the other side, the learned Government Advocate (Crl. side) submits that there are 11 previous cases pending against the petitioners. Further, he stated that the injured has been discharged from the hospital.

4. Considering the period of incarceration undergone by the petitioners and also the investigation almost completed. Hence, this Court is inclined to grant bail to the petitioners with the following conditions:



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5. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham** 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 stay at Madurai and report before the Thallakulam police daily at 10.30 a.m., for a period of three months. Further, the petitioner is directed to deposit a sum of Rs.10,000/- each to the crime No. 181 of 2024 within a period of two weeks from the date of receipt of a copy of this order and the victim is permitted to withdraw the same;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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T.V.THAMILSELVI,J.

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To

1. The **Judicial Magistrate, Gudiyatham,**
2. The Inspector of Police
Pernambut Police Station,
Pernambut, Vellore District.
3. The Central Prison, Vellore.
4. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.10522 of 2024

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