



Crl.O.P.No.11064 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM

THE HON'BLE MR. JUSTICE K. KUMARESH BABU

Crl.O.P.No.11064 of 2024

Ramprasanth

...Petitioner

Vs.

State represented by its
The Inspector of Police,
Sooramangalam Police Station,
Salem District.
(Crime No.241 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.241 of 2024 on the file of the respondent Police.

For petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Santhosh
Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 02.03.2024 for the offences under Sections 294(b), 324, 506(ii) of



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IPC altered under Sections 294(b), 326, 506(ii) of IPC r/w 7 of Juvenile Justice Act, 2015 in Crime No.241 of 2024, seeks bail.

2. Due to domestic quarrel between the husband and wife, the wife has given a complaint against the petitioner alleging that the petitioner, who is the second husband of the defacto complainant, assaulted her son Sujith. Due to which, the child sustained injuries.

3. The learned counsel appearing for the petitioner submitted that the petitioner is not involved the above said offence. He is innocent and the said Sujith fell down and sustained injuries. Hence seeks bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the defacto complainant's child, who was admitted in the hospital, is now discharged from the hospital after his recovery.



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5. Taking into consideration the facts and circumstances and the submissions made by the learned counsels, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the conditions that the petitioner shall 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-II, Salem 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 **on 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.



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[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.

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To

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

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