



WEB COPY



Crl.O.P.No.11878 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

Crl.O.P.No.11878 of 2024

Sundu @ Prasanth

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District
(Crime No.251 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C., prayed to enlarge the petitioner on bail in Crime No.251 of 2024 on the file of the respondent.

For Petitioner : Mr.S.Silambuselvan

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)

ORDER

The petitioner was arrested and remanded to judicial custody on 25.04.2024 for the offences under Sections 294(b), 323, 324 506 (ii) of I.P.C, @ 294(b), 323, 324, 307 & 506 (ii) in Crime No.251 of 2024 on the file of the respondent Police, seeks bail.



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2. The case of the prosecution is that the petitioner assaulted the defacto complainant with beer bottle and intended to cause death.

3.The learned counsel for the petitioner stated that the injured person is already discharged from the hospital and the petitioner is an innocent person and he has been falsely implicated in this case.

4.Heard both sides and perused the materials placed on record.

5.Having regard to the nature of allegations made against the petitioner and of the fact that the the injured person is discharged from the hospital, I am inclined to grant bail to the petitioner subject to conditions.

6.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.1, Tiruvannamalai 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 daily at 10.30 a.m., until further orders.



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[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.

29.05.2024

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S. SOUNTHAR,J.



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To

- 1.The Judicial Magistrate No.1, Tiruvannamalai
- 2.The Inspector of Police,
Tiruvannamalai Town Police Station,
Tiruvannamalai District
- 3.The Central Prison, Vellore
4. The Public Prosecutor, High Court of Madras.

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