



WEB COPY



Crl.O.P.No.19695 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HON'BLE MR. JUSTICE P.DHANABAL

Crl.O.P.No.19695 of 2024

Tamilmani

...Petitioner/Accused
(Rank Not Known)

Vs.

The State rep by
The Inspector of Police
Palladam Police Station,
Tiruppur.
(Crime No.266 of 2024)

...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 483 of B.N.S.S. Act, 2023, praying to enlarge the petitioner on bail in Crime No.266 of 2024 on the file of respondent police.

For Petitioner : Mr.P.Thinesh

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.07.2024 for the offences under Sections 294(b), 352, 427 and 506 (ii) of the IPC, altered as 294(b), 323, 324, 427 and 506(ii) of the IPC, in Crime No.266 of 2024 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner, along with the co-accused, entered into a wordy quarrel with the defacto complainant, causing damage to the property, and attacked and threatened him with dire consequences. Hence, the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution, and he has been falsely implicated in this case. He further submitted that the petitioner has been in custody since 19.07.2024 and the charges were also framed against the petitioner; that he is a law-abiding citizen; that he is ready to furnish substantial sureties for his



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due release on bail; and therefore, he prays for the grant of bail to the petitioner.

4. Learned Government Advocate (Crl.Side) opposed granting bail to the petitioner, by stating that the petitioner, along with the co-accused, had entered into a wordy quarrel with the defacto complainant causing damage to the property and attacked and threatened him with dire consequences. He further submitted that the co-accused (A1) was already released on bail and that the investigation was also completed.

5. Heard both sides and perused the materials available on record.

6. Considering the nature of offence, the completion of the investigation, the charge sheet that was also filed, and also taking into consideration the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:



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7. Accordingly, the petitioner is 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, each for a like sum to the satisfaction of the learned ***Judicial Magistrate, Palladam*** and on further conditions that :

- [a]the petitioner shall report before the learned Judicial Magistrate Palladam at 10.00 a.m., on every working day of the English Calender Month for a period of three (3) months;**
- [b]the petitioner shall not abscond either during the investigation or trial;
- [c]the petitioner shall not tamper with evidence or witness either during investigation or trial;
- [d]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];



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[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the BNS.

19.08.2024

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To

- 1.The Judicial Magistrate,
Palladam.
- 2.The Superintendent of Prison,
Central Prison, Tiruppur
- 3.The Inspector of Police
Palladam Police Station,
Tiruppur.
- 4.The Public Prosecutor,
High Court of Madras.



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P.DHANABAL, J.

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