



Crl.O.P.No.28479 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2024

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THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.28479 of 2024

S.Palanimurugan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Avinashi Police Station,
Tiruppur District.
(Crime No.271 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, to enlarge the petitioner on bail pending trial in S.C.No.203 of 2024 on the file of the learned Principal District and Sessions Judge, Tiruppur.

For Petitioner : M/s.Sanjay N Gandhi

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

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 03.05.2024, seeking



Crl.O.P.No.28479 of 2024

bail in Crime No.271 of 2024 registered for the offence under Sections 294(b), 324, 307, 506(2) of IPC @ 294(b), 324, 307, 506(2), 326 of IPC.

2. The case of the prosecution is that during the wordy quarrel, the petitioner/accused, in an inebriated condition, had abused the de facto complainant and one Vijayakumar and assaulted them with stone causing severe injuries. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner, who is none other than the friend of the de facto complainant, had no intention to hurt his friends, whereas, the incident had happened only during the quarrel, when all of them were in an inebriated condition. He also submitted that investigation in this case has been completed and the case has also been taken up for trial in S.C.No.203 of 2024 on the file of the learned Principal District and Sessions Judge, Tiruppur. He further submitted that the petitioner, who is in custody from 03.05.2024, is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of bail to the petitioner.



Crl.O.P.No.28479 of 2024

WEB COPY

4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that the accused along with the de facto complainant and other person had liquor together, during such time, there was a quarrel between them, in which, the accused had assaulted the de facto complainant and his friend with stone. He also submitted that the case has been committed to the Court of Sessions in S.C.No.203 of 2024 pending trial on the file of the learned Principal District and Sessions Judge, Tiruppur and the injured was also discharged from the hospital. He further submitted that three previous cases are pending against the petitioner.

5. Heard the learned Counsel appearing for the petitioner, the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and taking note of the fact that the case has been committed to the Court of Sessions and also considering the period of



Crl.O.P.No.28479 of 2024

incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees fifteen thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned **Principal District and Sessions Judge, Tiruppur**, 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 learned Principal District and Sessions Judge, Tiruppur, on all working days at 10.30 a.m., for a period of two weeks and thereafter, on all hearing dates;

[c] the petitioner shall not abscond during trial;

[d] the petitioner shall not tamper with evidence or witness during trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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Crl.O.P.No.28479 of 2024

appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 269 B.N.S.

14.11.2024

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To

1. The Principal District and Sessions Court,
Tiruppur.
2. The Inspector of Police,
Avinashi Police Station,
Tiruppur District
3. The Superintendent,
Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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Crl.O.P.No.28479 of 2024

A.D.JAGADISH CHANDIRA., J.

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Crl.O.P.No.28479 of 2024

14.11.2024