



WEB COPY



Crl.O.P.No.28862 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.28862 of 2023

R.Surya

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.
(Crime No.229 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
prayed to enlarge the petitioner on bail in Crime No.229 of 2023 on the file
of the respondent.

For Petitioner : Mr.C.Balaji

For Respondent : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

The petitioner/A2, who was arrested and remanded to judicial
custody on 17.05.2023, registered for the offences under Sections 294(b),



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324, 506(ii) and 307 of IPC, in Crime No.229 of 2023 on the file of the respondent Police, seeks bail.

2. It is stated that there was a quarrel between the petitioner and the injured while they were consuming alcohol and the quarrel escalated into violence and the accused are said to have caused injuries on the body of the victim. It is also stated that the injured had been discharged from the hospital.

3.The petitioner had been detained under Act 14 of 1982 and subsequently, the said detention order had been quashed by the Division Bench of this Court in H.C.P.No.1754 of 2023 by order dated 23.11.2023.

4.The respondent Police had completed the investigation and filed the final report before the District Munsif cum Judicial Magistrate, Ranipet and the same has been taken cognizance in P.R.C.No.22 of 2023.

5.Taking all these factors into consideration and also considering the period of incarceration, I am inclined to grant bail to the petitioner subject to the following 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



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District Munsif cum Judicial Magistrate, Ranipet, 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 District Munsif cum Judicial Magistrate, Ranipet, on everyday, till the case is committed to the Court of Sessions and thereafter, report before the Sessions Court, on every Monday, till the charges have been framed by the Sessions Court and thereafter, during the Court hearing dates.

[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.

02.01.2024

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C.V.KARTHIKEYAN, J.

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To

- 1.The District Munsif cum Judicial Magistrate, Ranipet.
- 2.The Inspector of Police,
Ranipet Police Station,
Ranipet, Vellore District.
- 3.The Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.

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