

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl. O.P. Nos. 7152 and 7153 of 2020

Saraswathi
Petitioner in Crl.O.P.No.7152 of 2020. ...

Prasanth
Crl.O.P.No.7153 of 2020 ... Petitioner in

-VS-

State Rep by its
The Inspector of Police,
Velur Police Station,
Velur, Namakkal District.
(Crime No.106/2020) ... Respondent in
both Crl.O.P.'s

PRAYERS:- Criminal Original Petition filed under Section 439 Cr.P.C. to
enlarge the petitioners on bail in Crime No. 106 of 2020 on the file of
Inspector of Police, Velur Police Station, Velur Namakkal District.

For Petitioner : Mr. C.Paraneedharan
(in both Crl.O.P's)

For Respondent : Mr. K. Prabakar
Additional

Public Prosecutor

COMMON ORDER
(The case has been heard through video conference)

The Petitioners, who were arrested and remanded to judicial custody on 14.03.2020 for the offences punishable under Sections 454, 448, 506 (i) of I.P.C. and Sections 3(1) TNPPDI Act, in Crime No. 106 of 2020 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 14.03.2020 at 11.00 A.M., the petitioners broke open the lock of the de-facto complainant's house and damaged the household articles and caused damage to front portion of the house. When the same was questioned by the de-facto complainant, the petitioners threatened her with dire consequences .

3.The learned counsel for the Petitioners would submit that the Petitioners are innocent and they have been falsely implicated in this case. He would further submit that the Petitioners have nothing to do with the alleged offence.

4.The learned Additional Public Prosecutor would submit that the Petitioners have caused the damage to the front portion of the house

of the de-facto complainant.

5. This Court by an order dated 27.03.2020 granted interim bail to the petitioners. Once again on 02.06.2020 the interim bail granted was extended by this Court and the matter was directed to be listed on 10.06.2020 and thereafter the matter is listed today.

6. Taking into consideration of the facts and circumstance of this case, the interim bail granted to the petitioners on 27.03.2020 and extended on 02.06.2020 is made absolute subject to the following conditions:-

(a) Each of the Petitioners shall execute two sureties for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, before the learned Judicial Magistrate, Paramathi, Namakkal District within 15 days from the date of lifting of the lockdown and the commencement of the Court's normal functioning, failing which the bail granted by this Court shall stand dismissed automatically;

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a

copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the Petitioners shall appear before the learned Judicial Magistrate, Paramathi, Namakkal District on the first working day of every month until further orders;

(e) the Petitioner shall not commit any offences of similar nature;

(f) the Petitioner shall not abscond either during investigation or trial;

(g) the Petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) the Petitioner shall not venture out of the house;

(i) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the Petitioners 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];

(j) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

7. With the above directions, this Criminal Original Petitions
are ordered.

23.06.2020

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Index: Yes/No

Internet: Yes/No

Speaking order/Non-speaking order

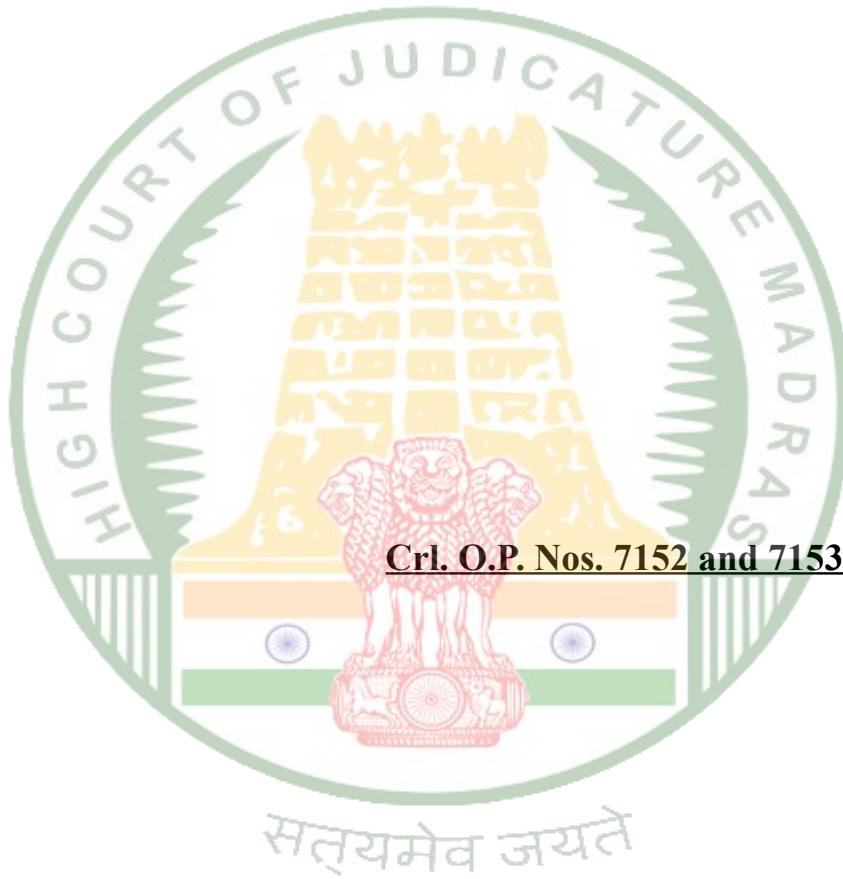
To

1. The Inspector of Police,
Velur Police Station,
Velur, Namakkal District
2. The Additional Public Prosecutor,
Madras High Court,
Chennai – 600 104.
3. The Judicial Magistrate, Paramathy,
Namakkal District.

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A.D. JAGADISH CHANDIRA, J.

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