

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.6910 of 2021

Ramu @ Ramaraj

... Petitioner

Vs.

State Rep by,  
The Inspector of Police,  
F5, Police Station,  
Choolaimedu,  
Chennai-600 094.  
(Crime No.03 of 2021)

... Respondent

**PRAYER:** Criminal Original petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioner on bail in Crime No.03 of 2021 on the file of the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj

For Respondent : Mrs.M.Prabhavathi  
Additional Public Prosecutor

**ORDER**

The petitioner who was arrested on 07.03.2021 and remanded to judicial custody for the offences under Section 147, 148, 436 r/w 120-B of IPC in Cr.No.03 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is a tenant under A1 and there was some tenancy dispute between them due to which A1 had instructed the petitioners and other accused to set fire to the shop and six persons had set fire to the shop, including the petitioner, which is evidenced by CCTV Footage. Hence, the complaint came to be registered.

3. The learned counsel for the petitioners submit that the petitioners are known to A2 and there was some tenancy dispute between the defacto complainant and A1 and that the petitioners have been falsely implicated in this case and they are in no way connected with the offence and that the petitioner is in jail from 07.03.2021. Therefore, they pray for grant bail.

4. The learned Additional Public Prosecutor vehemently opposed the bail application by stating that the petitioner and other accused set fire in the shop and the involvement of the petitioner herein is evidenced by CCTV Footage. She would further submit that investigation is almost completed.

5. Taking into consideration the fact that the occurrence had taken place due to a tenancy dispute and also the fact that even according to the prosecution the investigation is almost completed and also considering the period of incarceration suffered by the petitioner, this Court is inclined to grant bail to the petitioner subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on bail on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, of whom, one should be a blood related surety, each for a like sum to the satisfaction of the learned **XVII Metropolitan Magistrate, Saidapet, Chennai** and on further condition 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;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond 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]**; and;

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

-sd/-

16/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE XVII METROPOLITAN MAGISTRATE,  
SAIDAPET, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,  
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
F-5, POLICE STATION,  
CHOLLAIMEDU,  
CHENNAI-600 094.

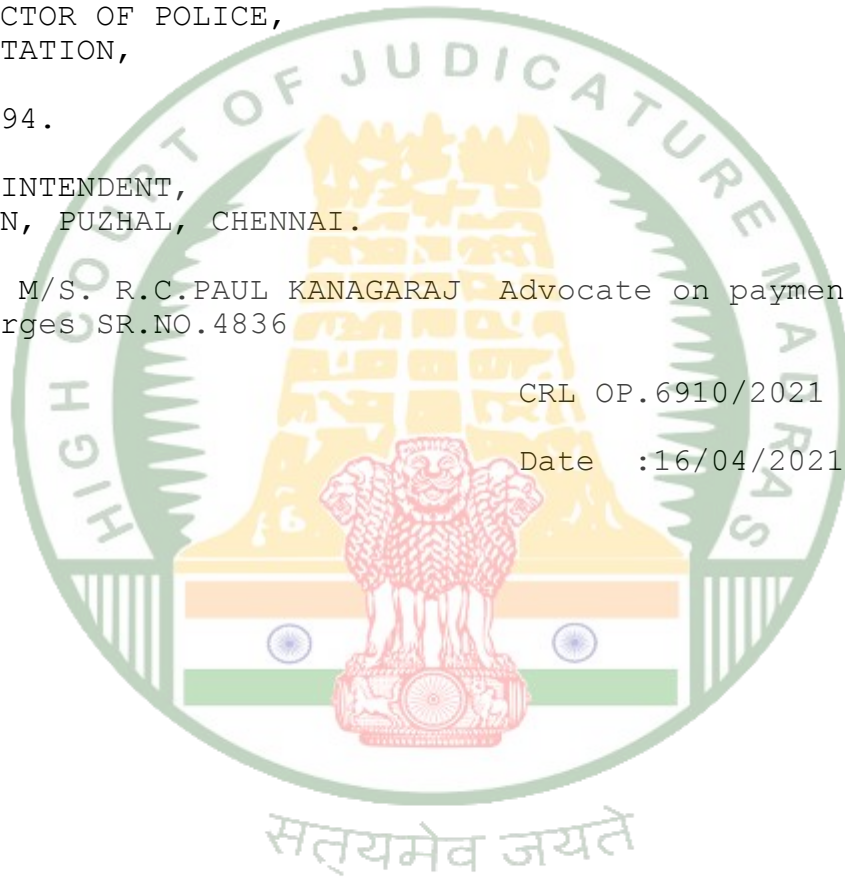
5 THE SUPERINTENDENT,  
CENTRAL PRISON, PUZHAI, CHENNAI.

+1 CC to M/S. R.C.PAUL KANAGARAJ Advocate on payment of  
necessary charges SR.NO.4836

CRL OP.6910/2021

Date :16/04/2021

TA-16/04/2021



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