



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.O.P.No.17148 of 2021

Hasanal Ameen

... Petitioner

Vs.

State by the Inspector of Police,
Villupuram Taluk Police Station,
Villupuram.

(Crime No.1224 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 relating to the case registered as Crime No.1224 of 2021 on the file of the respondent police.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.A.Gopinath
Government Advocate (CrI side)

ORDER

The petitioner who was arrested on 07.09.2021 and remanded to judicial custody for the offence under Sections 153 A, 295 and 436 of IPC, in Crime No.1224 of 2021 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner set of fired of the Vaidyanathasamy's Temple property. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the alleged offence and he has been falsely implicated in this case and the petitioner has been in jail from 07.09.2021. However, on instructions, the learned counsel further submitted that the petitioner, without prejudice to his rights, on his own volition, is ready and willing to contribute a sum of Rs.50,000/- to Arulmigu Vaidyanathasamy Temple, Sinthamnai, Vikravandi Taluk, for the purpose of renovation. Therefore, he prays to grant bail to the petitioner.



4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that there is no previous case pending as against the petitioner. However, he vehemently opposed for grant of bail to the petitioner.

5. Considering the period of incarceration suffered by the petitioner and there is no previous case pending as against the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions:

6. 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 No.I, Villupuram, and on further condition that:

(a) the petitioner shall make a non-refundable deposit of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of the Executive Officer, Arulmigu Vaidyanathasamy Temple Sinthamani, Vikravandi Taluk for the purpose of renovation, without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/ receipt/acknowledgement, shall accept the sureties furnished by the petitioner;

(b) 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;

(c) the petitioner shall report before the respondent police, daily at 10.30 a.m. until further orders;

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

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned 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 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]; and;



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

WEB COPY

-sd/-
17/09/2021

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

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, VILUPPURAM.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
SUB JAIL, VILLUPURAM.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
VILLUPURAM TALUK POLICE STATION,
VILLUPURAM.

6 THE EXECUTIVE OFFICER,
ARULMIGU VAIDYANATHASAMY TEMPLE,
SINTHAMANI, VIKRAVANDI TALUK.

CC to M/S.C.MUNUSAMY Advocate on payment of necessary charges

CRL OP.17148/2021

Date :17/09/2021

RW 20/09/2021