



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2021

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr1.O.P.No.19353 of 2021

1. P.Sankar ... Petitioners  
2. R.Sathyaraj  
3. R.Murugan  
4. S.Pradeep  
5. P.Raja  
6. G.Rajavelu  
7. S.Kumaran

Vs.

State rep. by ... Respondent  
The Inspector of Police,  
Marakkanam Police Station  
Villupuram District  
(Crime No.337 of 2021)

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail pending investigation in Crime No.337 of 2021 on the file of the Respondent police.

For Petitioners : Mr.G.Tamilselvan  
For Respondent : Mr.L.Baskaran  
Government Advocate (Cr1.Side)

ORDER

(This case has been heard through video conference)

The petitioners, who were arrested and remanded to judicial custody on 22.09.2021 for the offences under Sections 147, 148, 294 (b), 384, 448, 506(ii) of I.P.C. r/w Section 4 of Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.337 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the defacto complainant is the PRO of M/s.Golden Marine Harvest involved in prawn culture. On 19.09.2021 at about 05.30 p.m., the petitioners are alleged to have



trespassed into M/s.Golden Marine Harvest and demanded money (mamool), but the said company officials refused to pay, as a result of which, the petitioners said to have damaged 30 million prawns. Further, the petitioners said to have abused, assaulted and also threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. He would also submit that the petitioners are in jail from 22.09.2021. He would further submit that the co-accused was granted bail by this Court in Crl.O.P.No.18240 of 2021 by an order dated 04.10.2021. Therefore, he prays to grant bail to the petitioners.

4. The learned Government Advocate (Crl.Side) fairly concedes that the co-accused had been granted bail by this Court.

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

6. Accordingly, the petitioners are ordered to be released on bail on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, one surety shall be a blood surety, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Tindivanam and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial Magistrate-II, Tindivanam may obtain a copy of their Aadhar card or voter identity card or driving license or PAN card or Bank pass Book with photo affixed and attested by Bank Manager to ensure their identity;

(b) the petitioners shall co-operate with the pending investigation and report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not influence, threaten or coerce the witness either during investigation or trial

(d) the petitioners 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 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;

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

WEB COPY

-sd/-

12/10/2021

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.II, TINDIVANAM

2 THE CHIEF JUDICIAL MAGISTRATE  
VILUPPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE  
MARAKKANAM POLICE STATION,  
VILUPPURAM DISTRICT

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE  
DISTRICT PRISON, VILUPPURAM

+1 CC to M/S. G.TAMILSELVAN Advocate on payment of necessary charges SR.No.11388

CRL OP.19353/2021

Date :12/10/2021

APN 13/10/2021