



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.20180 of 2021

1. Murugesan
2. Silambarasan
3. Perumal

... Petitioners

Vs.

The Inspector of Police,
Valathi Police Station,
Villupuram District.
(Crime No.493 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C, prayed to enlarge the petitioners on bail in Crime No.493 of 2021 pending investigation on the file of the respondent police.

For Petitioners : Mr.G.Kartheeban

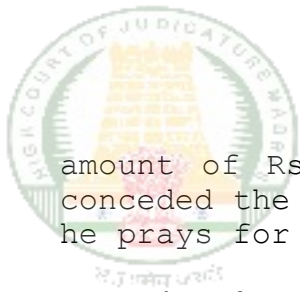
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners who were arrested on 10.10.2021 and remanded to judicial custody for the offences under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC read with 3 of PPDL Act in Crime No.493 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that there was some dispute between the petitioners and the defacto complainant, there was wordy quarrel, the petitioners along with other accused persons had attacked the defacto complainant and damaged the car belongs to the defacto complainant. 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 and the petitioners have been in jail from 10.10.2021. He further submitted that there are 10 accused persons involved in this case. The learned counsel, on instructions, would further submit that the petitioner, on their own volition, without prejudice to their rights, are ready to deposit the



amount of Rs.2,40,000/- to the credit of the crime number and also conceded the same may be disbursed to the defacto complainant. Hence, he prays for grant of bail to the petitioners.

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

5. Considering the period of incarceration suffered by the petitioners and there is no previous case pending against the petitioners and further the petitioners, on their own volition and ready to deposit a sum of Rs.2,40,000/- to the crime number, 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, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, Gingee, and on further condition that:

(a) the petitioners shall deposit a sum of Rs.2,40,000/- (Rupees Two Lakhs Forty Thousand Only) to the credit of Cr.No.493 of 2021 before the learned Judicial Magistrate Court, Gingee, within a period of two weeks from the date of receipt of a copy of this order and on such deposit the said amount may be disbursed to the defacto complainant within a period of two weeks thereafter;

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

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

(e) the petitioners 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/-

28/10/2021

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
GINGEE, VILUPPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
VILUPPURAM

3 THE INSPECTOR OF POLICE
VALATHI POLICE STATION,
VILLUPURAM DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE
SUB JAIL, VILUPPURAM

+1 CC to M/S. G.KARTHEEBAN Advocate on payment of necessary charges SR.No.11974

CRL OP.20180/2021

Date :28/10/2021

APN 28/10/2021