



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.22024 of 2021

M.Srinivasan

... Petitioner

Vs.

State represented by
The Inspector of Police
Latheri Police Station,
Latheri, Vellore District.
(Crime No.288 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.288 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.C.Vinodhkumar

For Respondent : Mr.N.S.Suganthan
Govt. Advocate (Cr1. Side)

ORDER

(The case has been heard through video conference)

The petitioner who was arrested and remanded to judicial custody on 04.11.2021 for the offences under Sections 341, 294(b) & 506 (ii) IPC r/w 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act 1992, in Crime No.288 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioner along with other accused persons had waylaid the Government Transport Corporation bus and damaged the wind shield worth about of Rs.9,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is no way connected with the alleged offence and he have been falsely implicated in this case and that the petitioner has been in jail from 04.11.2021. 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.3,000/- to the Registered Advocates Clerks Association, Gudiyatham. Hence, he prays for grant of bail to the petitioner.

WEB COPY

4. The learned Government Advocate appearing for the respondent raised objection stating that the petitioner along with two others have damaged the wind shield of the Government Transport Corporation bus.

5. Considering the period of incarceration suffered by the petitioner and also the fact that the investigation is almost completed, 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, for a like sum to the satisfaction of the learned Judicial Magistrate, Katpadi, and on further condition that:

(a) the petitioner shall make a non-refundable deposit of Rs.3,000/-, by way of demand draft to the Registered Advocates Clerks Association, Gudiyatham, 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 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;



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

WEB COPY

-sd/-

22/11/2021

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,
KATPADI, VELLORE DISTRICT.

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

3 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

4 THE INSPECTOR OF POLICE,
LATHERI POLICE STATION,
LATHERI, VELLORE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE REGISTERED ADVOCATES
CLERKS ASSOCIATION, GUDIYATHAM.

+1 CC to G.VINODHKUMAR Advocate on payment of necessary charges
SR.NO.13141

CRL OP.22024/2021

Date :22/11/2021

RW 23/11/2021