



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2021

WEB COPY

CORAM:

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

Cr1.O.P.No.22518 of 2021

1. YUVARAJ
2. SASITHARAN @ SASIDHARAN
3. DILLIBABU
4. NAVEEN

... Petitioners

Vs.

State rep. By
Inspector of Police
Anaicut Police Station
Vellore Dt.
(Crime No.122 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioners on bail pending investigation in Crime No.122 of 2021 on the file of the Inspector of Police, Anaicut Police Station, Vellore District.

For Petitioners : Mr.G.Nirmal Krishnan

For Respondent : Mr.N.S.Suganthan
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioners who were arrested and remanded to judicial custody on 15.11.2021 for the offences under Sections 427 IPC, 3(2) of PPD Act, in Crime No.122 of 2021, on the file of the respondent police, seek bail.

2. The case of the prosecution is that on 01.11.2021 at about 9 a.m., the petitioners cut one of the branch of a Tamarind Tree to agitate towards the order of High Court quashing the 10.5% reservation to Vanniyar community.



3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have falsely implicated in this case and that they have been suffering incarceration for 14 days from 15.11.2021. However, on instructions, he would submit that the petitioners ready and willing to pay a sum of Rs.5,000/- each to any Charitable Institute as may be directed by this Court and he would pray for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) raised objection stating that the petitioners had cut one of the branch of a Tamarind Tree to agitate towards the order of High Court quashing the 10.5% reservation to Vanniyar community.

5. Considering the period of incarceration undergone by the petitioners and the investigation is almost completed, 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 separate bonds 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-V, Vellore, Vellore District, and on further conditions that:

(a) the petitioners shall make non-refundable deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) each, to the credit of the Chief Educational Officer, Vellore District for the rehabilitation and improvement of the basic needs like Toilet of the Government Schools in the said District under necessary acknowledgment, without prejudice to their 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 petitioners;

(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 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.

7. In the result, this Criminal Original Petition is ordered and the Chief Educational Officer shall submit the necessary proof with regard to the expenditure incurred for the improvement/rehabilitation of the Schools in the District before the Director of School Education as and when such works are completed by utilising the money as ordered by this Court.

-sd/-
29/11/2021

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,
NO.V, VELLORE, VELLORE DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
ANAICUT POLICE STATION,
VELLORE DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.



5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

6 THE CHIEF EDUCATIONAL OFFICER,
VELLORE DISTRICT.

CC to M/S.G.NIRMALKRISHNAN Advocate on payment of necessary
charges

CRL OP.22518/2021

Date :29/11/2021

JPA 30/11/2021