



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

CRL.O.P.No.23167 of 2021

Thiyagarajan

... Petitioner

Versus

State Tamil Nadu rep. by
The Inspector of Police,
Valangaiman Police Station,
Tiruvarur District.
(Crime No.1900 of 2021)

... Respondent

Prayer:- Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioner on anticipatory bail in connection with Crime No.1900 of 2021 pending investigation on the file of the respondent police.

For Petitioner : Mr.S.Sekar

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)
(CRL.OP.No.23167/2021)

: MR. A.GOKULAKRISHNAN,
Additional Public Prosecutor
(CRL.MP.No.13768/2021)

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 448, 435, 294(b), 506(ii) of IPC in Crime No.1900 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner trespassed into the Temple and cut down plants in the campus of the temple and set fire to them and when the defacto complainant questioned the accused about his act the petitioner abused the defacto complainant and threatened him. Hence this case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that there is no injuries. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned *District Munsif cum Judicial Magistrate, Valangaiman*, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners is directed to deposit a sum of **(*)Rs.5,000/- (Rupees Five Thousand only) to the credit of the Registered Advocate Clerk Association, Tiruvarur District** within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] the petitioners and 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 is directed to report before the respondent police every Wednesday 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 anticipatory 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].



[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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-sd/-

02/12/2021

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.

(*)Modified and All other conditions remain unaltered, as per order of this court dated 20.12.2021 Made in Cr1.MP.No.13768/2021 in Cr1.O.P.NO. 23167/2021.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VALANGAIMAN, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VALANGAIMAN POLICE STATION,
TIRUVARUR DISTRICT.

4 THE REGISTERED
ADVOCATE CLERK ASSOCIATION,
THIRUVARUR DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.S.SEKAR Advocate on payment of necessary charges
SR.NO.15240

CRL OP.23167/2021

Date :02/12/2021

CSK 07/12/2021

RW 03/01/2022