



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL OP(MD). No.18024 of 2021

1. Senthamilan @ Senthamil Selvan
2. Kathiravan
3. Selladurai
4. Vijay
5. Elayaraja
6. Thaivaraj
7. Rameshkumar
8. Bakkiyaraj
9. Kamaraj
10. Sakthivel
11. Kannathasan

... Petitioners

Vs

The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
(Crime No.665 of 2021)

... Respondent

For Petitioners: Mr.M.Paramasivam,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

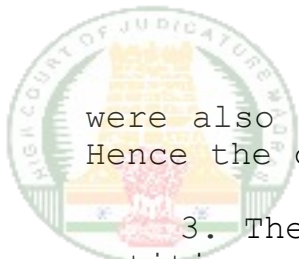
PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :- For Bail in Crime No. 665 of 2021 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 19.10.2021 for the offence punishable under Sections 147, 148, 294 (b), 336, 353 of IPC r/w Section 3 (1) of Public Property (Prevent of Damage & Loss) Act, 1992 in Crime No.665 of 2021, on the file respondent police, seek bail.

2.The case of the prosecution is that during the renovation of the flag post of a political party, there was a group clash, in which, both the groups attacked each other and caused injuries and



were also attacked by both the parties and also sustained injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent and a false case has been foisted against them. He would further submit that injured persons were already discharged from the hospital. Hence he prays to grant bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that both the parties have attacked the police officials and damaged the CCTV camera fixed in the office, worth about Rs.25,000/-. He would further submit that all the injured persons were discharged from the hospital.

5. Considering the above facts and circumstances and also the fact that injured were discharged from the hospital and that the petitioners are in judicial custody from 19.10.2021, 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 bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned District Munsif Cum Judicial Magistrate Court, Papanasam, and on further conditions that;

i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

[ii] the petitioners shall pay a sum of **Rs.3,000/- (Rupees Three Thousand only) each** as non-refundable deposit to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9 (Account No.11720 10000 00070, IFSC Code: IOBA0001172). The petitioners shall execute the sureties on showing the receipt of the said amount.

iii) the petitioners shall stay at Madurai and report before the Inspector of Police, Thallakulam Police Station, Madurai, daily at 10.30 a.m for a period of one month, thereafter, as and when required.

iv) the petitioners shall not tamper with evidence or witness.

v) the petitioners shall not abscond during trial.

vi) 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].

vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
25/11/2021

WEB COPY

/ TRUE COPY /

/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
PAPANASAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3. THE OFFICER INCHARGE, SUB JAIL, PUDUKOTTAI.
4. THE INSPECTOR OF POLICE,
KABISTHALAM POLICE STATION,
THANJAVUR DISTRICT.
5. THE INSPECTOR OF POLICE,
THALLAKULAM POLICE STATION, MADURAI.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:

THE OFFICER INCHARGE,
THE CHIEF MINISTER PUBLIC RELIEF FUND,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI-9.

+1 CC to M/s.S.CHELLAPANDIAN, Advocate (SR-8524[I] dated 25/11/2021)

ORDER IN
CRL OP(MD) No.18024 of 2021
Date :25/11/2021

DSS

<https://www.certh.gov.in/Services/1.2021/3P.9C>