



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2022

CORAM:

THE HON'BLE MR.JUSTICE Dr.G.JAYACHANDRAN

Cr1.O.P.No.6399 of 2022

Maruthapandiyan

... Petitioner

Vs.

State rep. by
Inspector of Police,
Bommidi Police Station,
Dharmapuri District
(Crime No.47 of 2022)

... 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.47 of 2022 on the file of the respondent police, pending investigation.

For Petitioner : Mr.N.Ponraj

For Respondent : M/s.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 04.03.2022 for the offences punishable under Section 3 (1) of PPDL Act in Crime No.47 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner herein during the declaration of local body election result got frustrated hearing his party has lost and therefore damaged the government bus and the damage is estimated at Rs.1,000/-. The petitioner was arrested on 04.03.2022.

3. Considering the facts of the case, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;



(a) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pappireddipatti.

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(b) the petitioner shall deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) to the credit of Crime No.47 of 2022 on the file of the respondent police and submit proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the receipt/acknowledgment shall accept the sureties furnished by the petitioner. The final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

(c) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(d) the petitioner is directed to appear before the Investigating Officer as and when required.

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioner shall not abscond either during investigation or trial;

(g) on breach of any of the aforesaid conditions, the learned Judicial 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];

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

-sd/-

21/03/2022

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,
PAPPIREDDIPATTI.

2 THE CHIEF JUDICIAL MAGISTRATE
DHARMAPURI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
BOMMIDI POLICE STATION,
DHARMAPURI DISTRICT.

4 THE OFFICER INCHARGE,
DISTRICT JAIL, DHARMAPURI.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.N.PONRAJ Advocate on payment of necessary charges

CRL OP.6399/2022

Date :21/03/2022

JPA 22/03/2022