



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.7482 of 2022

WEB COPY

Tamilmaravan

.. Petitioner

Vs.

The State rep. by
The Sub Inspector of Police,
Udayarpalayam Police Station,
Ariyalur District.
(Crime No.26 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.26 of 2022 on the file of the Inspector of Police, Udayarpalayam Police Station, Ariyalur District.

For Petitioner : Mr.R.Subramaniyan

For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

O R D E R

The petitioner/A6, who was arrested on 17.02.2022 for the offences punishable under Sections 147, 148, 307 of IPC read with Section 3 of Explosive Substances Act, 1908 in Crime No.26 of 2022, on the file of the respondent police, seeks bail.

2. The petitioner is one of the accused in a case where the defacto complainant has alleged that the petitioner along with 9 others restrained his vehicle with intention to cause his death by using explosive and deadly weapon. Pursuant to the said attempt, the wind shield of the car in which the defacto complainant was travelling, was broken.

3.Learned Additional Public Prosecutor appearing for the State states that the petitioner herein was an accused in a case where the father of A1 and A6 was done to death. In view of the said motive as retaliation, an attempt was made on the life of the defacto complainant on 11.02.2022. This petitioner is arrayed as A6 and he is the named accused.



4.Learned counsel for the petitioner would submit that the defacto complainant, on hearing the sound of explosion, has stopped his vehicle and got down from the vehicle and at that time, 10 known persons with deadly weapons tried to attack him. There is no physical injury to the defacto complainant nor skeletal evidence for the alleged exposure but a complaint was invented by the defacto complainant to settle score with his political rivals.

5.Considering the allegation made in the F.I.R and the fact that the defacto complainant has not sustained any injury except some alleged damage to the car in which he has traveled, this court is of the view that the petitioner may be granted bail subject to certain conditions. 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.50,000/- (Rupees Fifty Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Jayamkondam.

(b) 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;

(c) the petitioner is directed to stay at Villupuram and report before Villupuram Town 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) 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];

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

-sd/-

31/03/2022

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,
NO.II, JAYAMKONDAM

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR (FOR INFORMATION)

3 SUB INSPECTOR OF POLICE,
UDAYARPALAYAM POLICE STATION,
ARIYALUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY

6 THE OFFICER INCHARGE,
VILLUPURAM TOWN POLICE STATION,
VILLUPURAM

CC to M/S. R.SUBRAMANIYAN Advocate on payment of necessary
charges Sr.4856

CRL OP.7482/2022

Date :31/03/2022

RVR 31/03/2022