



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2022

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.8430 of 2022

Sumeshbabu

.. Petitioner

Vs.

State rep. by
The Inspector of Police,
Annur Police Station,
Coimbatore.
(Crime No.222 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to grant bail to the petitioner in Crime No.222 of 2022, on the file of the respondent Police.

For Petitioner : Mr.T.Shanmuga Boopathi
for Mr.N.Suresh.

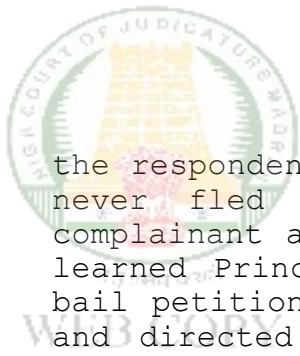
For Respondent : Ms.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The petitioner, who was arrested on 16.03.2022 for the offences punishable under Section 436 in Crime No.222 of 2022, on the file of the respondent police, seeks bail.

2.The petitioner herein was arrested on 16.03.2022 in connection with Crime No.222 of 2022 on the file of the respondent police for the alleged offence under Section 436 of I.P.C. As per the complaint, due to the dispute regarding the settlement of accounts, the petitioner had set fire to the power house, which was earlier constructed by him along with one Rabani on a contract basis. The F.I.R indicates that the property worth about Rs.7,50,000/- was damaged.

3. However, the learned counsel for the petitioner would state that the damage value has been exaggerated and the fact that the petitioner suffers from mental disorder has not been taken note by



the respondent police while arresting the petitioner. The petitioner never fled away but was taken to the police by the defacto complainant and his friend, while he was sitting near a bridge. The learned Principal District and Sessions Judge while considering the bail petition, also noted about the mental illness of the petitioner and directed the Superintendent of Prison, Central Prison to take necessary action for his treatment if required.

4. Now considering the facts of the case and the allegation made against this petitioner, 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.50,000/- (Rupees Fifty Thousand only) with two sureties, one is of his blood relative and another is from respectable person hailing from the locality of the respondent, each for a like sum to the satisfaction of the learned Judicial Magistrate, Mettupalayam.

(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 Coimbatore and 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) 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/-

12/04/2022

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,
METTUPALAYAM, COIMBATORE.

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
ANNUR POLICE STATION,
COIMBATORE.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.N.SURESH Advocate on payment of necessary charges
SR.No.5603

CRL OP.8430/2022

Date :12/04/2022

CSK 13/04/2022