



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

WEB COPY

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Cr1.O.P.No.9066 of 2022

Saravanan

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Kaveripakkam Police Station,
Ranipet District.
(Crime No.459 of 2020)

.. 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.459 of 2020 pending on the file of the respondent police.

For Petitioner : Mr.D.Thirumoorthy

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

ORDER

The petitioner, who was arrested for the offences punishable under Sections 341, 294(b), 323, 506(ii) IPC @ 341, 294(b), 323, 506(ii), 324, 307 of IPC and Section 3 of TNPPDL Act, in Crime No.459 of 2020, on the file of the respondent police, seeks bail.

2. The petitioner herein was arrested on 29.03.2022 for the alleged occurrence on 27.05.2020, in which the defacto complainant was attacked by this petitioner and three others, while he was taking a customer in his auto to the village of the petitioner. As per the F.I.R., the indicator light and the rear view mirror of the defacto complainant's auto was damaged by the accused persons and this petitioner has attacked the defacto complainant with hands and threatened him that the defacto complainant will be killed if he enters his village. Since the petitioner was absconding all along, the prosecution was not able to file the final report. On 29.03.2022, the petitioner was arrested by the police and remanded to the judicial custody.



3. Considering the fact that the petitioner was arrested for the alleged offences under Sections 341, 294(b), 323, 506(ii), 324, 307 of IPC and Section 3 of TNPPDL Act and though the value of the property damaged not been mentioned neither in the F.I.R nor in the statement of the defacto complainant during the course of investigation, considering the damage caused to the vehicle, 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 deposit Rs.10,000/- to the credit of Crime No.459 of 2020 and on such deposit, the learned Magistrate shall release the petitioner on execution of 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 District Munsif cum Judicial Magistrate No.1, Walajah.

(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 report before the Investigating Officer at 10.30 a.m. for 30 days from the next date of release from the prison so as to enable the Investigating Officer to complete the investigation and file the final report.**

(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.

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-sd/-
21/04/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, NO.1, WALAJAH.

2 THE CHIEF JUDICIAL MAGISTRATE
VELLORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
KAVERIPAKKAM POLICE STATION,
RANIPET DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, VELLORE.

+1 CC to M/S.S.P.ARTHI Advocate on payment of necessary charges
SR.NO.5955

CRL OP.9066/2022

Date :21/04/2022

TA-21/04/2022