



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Third day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice N. ANAND VENKATESH

CRIMINAL ORIGINAL PETITION No.12096 of 2022

1 SELVAKUMAR
2 KARTHICK
3 MANJUNATH
4 VELU
5 SILAMBARASAN

[PETITIONERS / ACCUSED]

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE,
OMALUR POLICE STATION,
SALEM DISTRICT.
(CRIME NO.192 OF 2022)

[RESPONDENT]

For Petitioner : M/S. C. PRABAKARAN Advocate

For Respondent : M/S.E.RAJ THILAK, Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 03.04.2022 for the alleged offences under altered Sections 341, 285, 120(B) of IPC and 3(1) of TNPPDL Act, in Crime No.192 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners were involved in raising slogans, agitating in the middle of the road and had pelted stones and damaged the windshield of the public transport bus and thereby, they had damaged to the tune of Rs.11,500/-.

3. Heard Mr.C.Prabhakaran, learned counsel for the petitioners and Mr.E.Raj Thilak, learned Additional Public Prosecutor for the respondent.



4. There are totally eight accused persons in this case and the petitioners have been arrayed as A1, A2, A4, A5 and A6. The petitioners have already suffered incarceration for nearly 50 days. The entire incident seems to have taken place in the spur of the moment and there are no previous cases against the petitioners.

5. In view of the above, this Court is inclined to enlarge the petitioners on bail subject to imposing conditions.

6. Accordingly, the petitioners are ordered to be released on bail (i) on depositing a sum of Rs.11,500/- (Rupees eleven thousand five hundred only) to the account of Crime No.192 of 2022 before the Judicial Magistrate, Omalur and (ii) on each of them executing a bond for a sum of Rs.5,000/- (Rupees five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Omalur, and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police every Friday at 06.30 p.m until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji v. State of Kerala [(2005) AIR SCW 5560]; and

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-

23/05/2022

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,
OMALUR.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM DISTRICT. [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
OMALUR POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,
SUB JAIL, OMALUR.

+1 CC to M/S. C. PRABAKARAN Advocate on payment of necessary
charges SR.NO. 7768

CRL OP.12096/2022

Date :23/05/2022

RW-24/05/2022