



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.12066 of 2022

LAKSHMANAN

[PETITIONER / ACCUSED]

Vs

STATE OF TAMIL NADU REP. BY
THE INSPECTOR OF POLICE,
VETTAIKKARAIRUPPU POLICE STATION,
NAGAPATTINAM DISTRICT.
(CR.NO.28/2022)

[RESPONDENT]

For Petitioner : M/S.N.PALANIVEL Advocate

For Respondent : MR.E.RAJ THILAK Additional Public Prosecutor

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 09.03.2022 for the alleged offence under Section 436 of I.P.C in Crime No.28 of 2022 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that the petitioner is the son of the first wife of the defacto-complainant. There was some dispute between the parties regarding a property and the petitioner is said to have set on fire the shop belonging to the defacto-complainant and had caused damage to the tune of Rs.82,00,000/-

3. Heard Mr.N.Palanivel, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor appearing for the respondent-Police.

4. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner had already suffered incarceration for nearly 75 days, this Court is inclined to grant bail to the petitioner.



5. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif-cum-Judicial Magistrate, Vedaranyam 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 petitioner shall report before the respondent police every Monday at 10.30 a.m for a period of eight weeks and thereafter as and when required.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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/-

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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VEDARANYAM.



2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM DISTRICT [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VETTAIKKARANIRUPPU POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE SUPERINTENDENT,
DISTRICT PRISON, NAGAPATTINAM.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.N.PALANIVEL Advocate on payment of necessary
charges SR.No.7754

CRL OP.12066/2022

Date :23/05/2022

CSK 24/05/2022