



IN THE HIGH COURT OF JUDICATURE AT MADRAS  
( Criminal Jurisdiction )

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR  
CRIMINAL ORIGINAL PETITION No.12401 of 2022

R.ASHOK KUMAR

[ PETITIONER / ACCUSED ]

Vs

THE STATE REP BY  
INSPECTOR OF POLICE,  
KUNDADAM POLICE STATION,  
TIRUPPUR  
CRIME NO.125/2022

[ RESPONDENT ]

For Petitioner : M/S.R.PRABAKAR Advocate

For Respondent : M/S. A.DAMODARAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR BAIL 439 Cr.P.C.

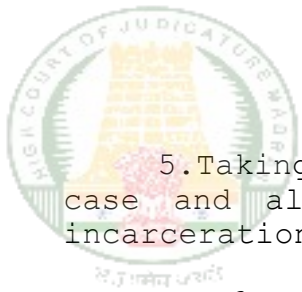
ORDER : The Court Made the following order :-

The petitioner/Accused No.1, who was arrested and remanded to judicial custody on 28.04.2022 for the offence under Section 436 of IPC in Crime No.125 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the Union Secretary of the ruling political party. In the political party office, there was a pandal and a banner displayed. On 28.04.2022 at 3.00 A.M., it was set fire. The watchman of the Co-operative bank, seen the petitioner coming in his TVS Sport bearing No.TN 49 AQ 3462, lighted the pandal. Based on the which, an FIR registered against the petitioner and he was arrested.

3.The contention of the petitioner is that for political reasons he has been falsely implicated, since he raised objections for spiralling cost. Petitioner objections, caused annoyance to the defacto complainant and his party men.

4.The petitioner has got some dispute with the defacto complainant which is a private issue for which the petitioner has been falsely implicated.



5. Taking into consideration, the facts and circumstances of the case and also of the fact that the petitioner already suffered incarceration for the past 26 days.

6. 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 (out of which one surety shall be a blood relative) for a like sum to the satisfaction of the learned Judicial Magistrate Court at Dharapuram, Tiruppur, 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 until further orders and thereafter, as and when required for interrogation.

[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/-

25/05/2022

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.



1 THE JUDICIAL MAGISTRATE,  
DHARAPURAM, TIRUPPUR

2 THE CHIEF JUDICIAL MAGISTRATE  
TIRUPPUR (FOR INFORMATION)

3 INSPECTOR OF POLICE,  
KUNDADAM POLICE STATION,  
TIRUPPUR

4 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

5 THE OFFICER INCHARGE,  
SUB JAIL, DHARAPURAM

CC to M/S.R.PRABAKAR Advocate on payment of necessary charges  
Sr.7861

CRL OP.12401/2022

Date :25/05/2022

RVR 27/05/2022