



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

Thursday, the Twenty Sixth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice D.BHARATHA CHAKRAVARTHY
CRIMINAL ORIGINAL PETITION No.12558 of 2022

SAJATH AHAMED

[PETITIONER / ACCUSED]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT
CR.NO.874 OF 2021.

[RESPONDENT]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : THE 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 16.09.2021 for the alleged offence under Sections 25(1B) (b) of Arms Act, 1959 and in Section 294(b), 341 and 353 of I.P.C read with Section 3(1) of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, in Crime No.874 of 2021 on the file of the respondent police, seeks bail.

2. It is alleged that on 16.09.2021, during the Vinayagar Chathurthi procession, on account of religious intolerance, the petitioner waylaid the Innova car driven by the defacto complainant, thereby prevented him from discharging his official duty and also caused damages to the windshield of the car worth about Rs.15,000/-.

3. Considering the fact that the charge sheet has already been filed and the fact that the petitioner is in judicial custody from 16.09.2021, I am inclined to grant bail to the petitioner.

4. 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 Judicial Magistrate, Thiruthuraipoondi, Thiruvavarur District, on the following further conditions:-



[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 appear before the trial court in all hearings without fail.

[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.

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

-sd/-

26/05/2022

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,
THIRUTHURAIPOONDI, THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR(FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
MUTHUPETTAI POLICE STATION,
THIRUVARUR DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



5 THE SUPERINTENDENT,
CENTRAL PRISON,
TIRUCHIRAPALLI

WEB COPY

CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of necessary
charges Sr.7947

CRL OP.12558/2022

Date :26/05/2022

RVR 26/05/2022