



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the First day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.12911 of 2022

N.SETTU

[PETITIONER / ACCUSED]

Vs

INSPECTOR OF POLICE
KONGANAPURAM POLICE STATION,
SALEM DISTRICT.
CRIME NO.113 OF 2022.

[RESPONDENT]

For Petitioner : M/S.A.SARAVANAN 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 :-

(1)The petitioner/A3 who was arrested on 29.04.2022 for the alleged offences punishable under Sections 341, 294(b), 307 IPC altered to Sections 120B, 341, 294(b) and 302 IPC in Crime No.113 of 2022 on the file of the respondent police, seeks bail.

(2)Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

(3)There was a dispute with regard to a pathway necessitating registration of the F.I.R in Crime No.113 of 2022 against the petitioner/A3 and against two other accused. It is stated that the accused is in custody from 29.04.2022. The dispute surrounds the pathway. It is informed that accused/A1 has been detained under Act 14 of 1982. So far as the petitioner is concerned, this Court is inclined to grant bail to the petitioner subject to conditions:



(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 Munsif Cum Judicial Magistrate, Edappadi and on further condition 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 is directed to stay at Nagapattinam and report before the Nagapattinam Town Police Station daily at 10.30 am., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[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 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/-

01/06/2022

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 MUNSIF CUM
JUDICIAL MAGISTRATE, EDAPPADI.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]



3 INSPECTOR OF POLICE
KONGANAPURAM POLICE STATION,
SALEM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, SALEM.

6 THE OFFICER INCHARGE,
NAGAPATTINAM TOWN POLICE STATION,
NAGAPATTINAM.

+1 CC to M/S.A.SARAVANAN Advocate on payment of necessary
charges SR.NO. 8322

CRL OP.12911/2022

Date :01/06/2022

RW-01/06/2022