



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Fourth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice C.V. KARTHIKEYAN

CRIMINAL ORIGINAL PETITION No.13915 of 2022

VENKATACHALAM

[PETITIONER /ACCUSED]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
THALAIVASAL POLICE STATION,
THALAIVASAL,
SALEM DISTRICT.
CRIME NO.85 OF 2022.

[RESPONDENT]

For Petitioner : M/S.M.D.THIRUNAVUKKARASU, Advocate

For Respondent : MR.V.MEGHANATHAN, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

The second bail application is filed by the petitioner/A1, who had been remanded to judicial custody on 30.03.2022 for the alleged offences punishable under Sections 147, 447, 506(1) IPC and 3 (1) of Prevention of Damage to Public Property Act, in Crime No.85 of 2022, registered by the respondent police.

2.The brief facts are that the present petitioner has paid a sum of Rs.21,00,000/- to the defacto complainant and his family members for purchase of agricultural land. However, the defacto complainant and the family members did not come forward to execute the sale deed, but, on the other hand, they tried to cultivate the land. This led to an altercation and in the result, crime No.86 of 2022 had also been registered against the petitioner herein primarily under Section 302 IPC. However, I am informed that bail had been granted for that particular offence. In the present case, the main offence is under Section 3 (1) of Prevention of Damage to Public Property Act,



3. Heard both sides.

4. Taking into consideration the long period of incarceration already suffered by the petitioner herein, this Court is inclined to grant bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail on executing a separate bonds 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, Attur 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 daily at 10.30 a.m., until further orders.

[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 Judicial 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 Judicial 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/-

24/06/2022

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 JUDICIAL MAGISTRATE,
ATTUR.

WEB COPY

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
THALAIVASAL POLICE STATION,
THALAIVASAL,
SALEM DISTRICT.

5 THE OFFICER INCHARGE
SUB JAIL, SALEM.

+1 CC to M/S.M.D.THIRUNAVUKKARASU, Advocate on payment of
necessary charges SR.NO.9939

CRL OP.13915/2022

Date :24/06/2022

TA-24/06/2022.