



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2022

CORAM

THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.OP.No.15095 of 2022

G.Boopalan

..Petitioner/A1

Vs.

State rep by,
Inspector of Police,
Kadathur Police Station,
Erode District
crime No.150 of 2022

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in crime No.150 of 2022 on the file of the respondent police.

For Petitioner : Mr.N.Chinnaraj

For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

The petitioner, who was arrested and remanded to judicial custody on 10.06.2022 for the offence punishable under Sections 294(b), 427, 436 and 506(ii) of Cr.P.C. in crime No.150 of 2022 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that on 08.06.2022, due to previous enmity, the accused persons set fire on the defacto complainant's shed and straw. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant bail to the petitioner.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on the date of occurrence, A1 set fire to the defacto complainant's shed and straw. He would further submit that co accused was granted anticipatory bail by this Court in CrI.OP.No.14763 of 2022 on 27.06.2022.

5. Considering the above facts and circumstances of the case and also considering that the co-accused was granted anticipatory bail by this Court, this Court is inclined to grant bail to the petitioner. 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-II, Gobichettipalayam 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. for a period of two weeks and thereafter report before the respondent police as and when required for interrogation.

[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/-

30/06/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.II, GOBICHETTIPALAYAM.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE DISTRICT. [FOR INFORMATION]

3 THE OFFICER INCHARGE,
DISTRICT JAIL, GOBICHETTIPALAYAM,
ERODE DISTRICT.

4 THE INSPECTOR OF POLICE,
KADATHUR POLICE STATION,
ERODE DISTRICT.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.N.CHINNARAJ
charges SR.NO. 10373

Advocate on payment of necessary

CRL OP.15095/2022

Date :30/06/2022

RW-01/07/2022