

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2022

CORAM

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

Cr1.OP.No.15872 of 2022

Abeesh

..Petitioner

Vs.

State Rep by
The Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.
Crime No.102 of 2022

..Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in connection with Crime No.102 of 2022

For Petitioner : Mr.J.Jawahar

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.06.2022 for the offences punishable under Sections 294 (b), 353, 506(i) of IPC read with Section 3(1) of TNPPDL Act in Crime No.102 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused went to the the Primary Health Centre in a drunken mood and picked up a quarrel and also damaged the property worth about Rs.5,000/-. 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. On instructions, he would further submit that the petitioner is ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of the crime No.102 of 2022 and prays for grant of bail to the petitioner.

4.The learned Additional Public Prosecutor would submit that the petitioner along with other accused went to the the Primary Health Centre in a drunken mood and picked up a quarrel and also damaged the property worth about Rs.5,000/-.. Hence, he vehemently opposed to grant bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner and also taking note of the fact that the petitioner has come forward to deposit a sum of Rs.10,000/- to the credit of the Crime No.102 of 2022, this Court is inclined to grant bail to the petitioner.

6. Accordingly, the petitioner shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only), to the credit of the Crime No.102 of 2022, and on such deposit, 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 blood related sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Mannargudi 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 deposit a sum of Rs.10,000/-(Rupees Ten Thousand only), to the credit of the Crime No.102 of 2022.

[c] the petitioner shall report before the respondent police twice daily at 10.30 a.m. and 05.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

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

-sd/-

11/07/2022

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,
NO.2, MANNARGUDI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
KOTHANALLUR POLICE STATION,
TIRUVARUR DISTRICT.

4 THE SUPERINTENDENT,
DISTRICT JAIL, TRICHY.

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S. J.JAWAHAR Advocate on payment of necessary charges
SR.No.11138

CRL OP.15872/2022

Date :11/07/2022

CSK 12/07/2022