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Crl.OP.No.16179 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2022

CORAM

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

Crl.O.P.No.16179 of 2022

1. Nandagopalakrishnan
S/o. Kaliyamoorthi

2. Nandagopalakrishnan
S/o. Ethiraj

...Petitioners

Vs.

State, Rep. by
The Inspector of Police,
Panruti Police Station,
Cuddalore District.
Crime No.551 of 2022

...Respondent

PRAYER:-Criminal Original Petition is filed under Section 439 of Cr.P.C.

praying to enlarge the petitioners on bail in Crime No.551 of 2022 on the file of
the respondent police.

For Petitioners : Mr.R.Chakkaravarthy

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



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.07.2022 for the offence under Sections **147, 148, 294(b), 323, 324, 506(ii) of IPC and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act 1992 and Section 4 of Tamil Nadu Prohibition Harassment of Women Act 2002**, in Crime No.551 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioners along with other accused trespassed into the defacto complainant's hotel premisses and and attacked workes and also damaged the property worth about Rs.33,000/-. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. That apart, the petitioners were arrested and remanded to judicial custody on 03.07.2022. Hence, he prays for grant of bail to the petitioners.



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4.The learned Additional Public Prosecutor submitted that the injured victim has been discharged from the hospital on 11.07.2022. However, he opposed for granting bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering that the injured victim has been discharged from the hospital, this Court is inclined to grant bail to the petitioners.

6. Accordingly, petitioners are 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.1, Panruti, Cuddalore** 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 petitioners shall report before the respondent police daily at 10.30.a.m., for a period of two weeks and thereafter as and when required for interrogation;



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[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

13.07.2022

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To

1. Judicial Magistrate No.1,
Panruti, Cuddalore.
- 2.The Inspector of Police,
Panruti Police Station,
Cuddalore District.
3. The Central Prison,
Cuddalore.
- 4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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