

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2022

CORAM

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

CrI.OP.No.16788 of 2022

Santhakumar

... Petitioner/A1

Vs.

The State Rep. By
Inspector of Police
Vedaranyam Police Station,
Nagapattinam District.
Crime No.157 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.157 of 2022 on the file of Inspector of police, Vedaranyam Police Station Nagapattinam District.

For Petitioner : Mr.Swamisubramanian

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

ORDER

The petitioner, who was arrested and remanded to judicial custody on 07.06.2022 for the offences punishable under Sections 436 of IPC in crime No.157 of 2022 on the file of the respondent police, seeks bail.

2. Due to previous enmity, the petitioner had set fire to the shop of the de-facto complainant and caused damage to the tune of Rs.2,00,000/-.

3. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioner from the date of his i.e., 07.06.2022, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner shall pay a sum of

Rs.1,00,000/- (Rupees One Lakh Only) directly to the de-facto complainant in Crime No.157 of 2022 by way of Demand Draft and on such payment, 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 District Munsiff Cum - Judicial Magistrate Vedaranyam, Nagapattinam District, 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 pay a sum of Rs.1,00,000/- (Rupees One Lakh Only) directly to the de-facto complainant in Crime No.157 of 2022 by way of Demand Draft and the proof shall be produced before the learned Magistrate concerned at time of execution of bond.

[c] the petitioner 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.

[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/-
21/07/2022

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 DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, VEDARANYAM,
NAGAPATTINAM DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
NAGAPATTINAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
VEDARANYAM POLICE STATION,
NAGAPATTINAM DISTRICT

4 THE OFFICER INCHARGE
DISTRICT PRISON, NAGAPATTINAM

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to Mr.Swamisubramanian Advocate on payment of necessary
charges

CRL OP.16788/2022

Date :21/07/2022

JPA 25/07/2022