



WEB COPY



CrI.OP.No.17230 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2022

CORAM

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

CrI.OP.No.17230 of 2022

1.S.Perumal

2.S.Jayaraj

3.G.Aravindhassami

...Petitioners

Vs.

The State, Represented by
Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
(Crime No.141 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail concerned in Crime No.141 of
2022 on the file of Inspector of Police, Kottapatti Police Station,
Dharmapuri District.

For Petitioners : Mr.C.Prabakaran

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

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 29.06.2022 for the offences punishable under Sections 149,



CrI.OP.No.17230 of 2022

294(b), 323, 506(I) and 436 of IPC in crime No.141 of 2022 on the file of the respondent police, seek bail.

2. Due to previous enmity, the petitioners along with other accused persons had assaulted and set fire to the house of the *de-facto* complainant and caused damage to the tune of Rs.40,000/-.

3. Totally there are seven accused, in which the petitioners arrayed as A1, A4 and A6. The *de-facto* complainant informed about illegal sales of liquor to the respondent Police and as such, the petitioners along with other accused persons attacked the *de-facto* complainant and set fire on the house. Therefore, properties worth Rs.40,000/- was damaged. However, the petitioners are ready and willing to pay the sum of rupees damaged to the *de-facto* complainant.

4. Considering the above facts and circumstances of the case and also the period of incarceration by the petitioners from the date of their arrest i.e., 29.06.2022, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners shall jointly pay a sum of



CrI.OP.No.17230 of 2022

Rs.40,000/- (Rupees Forty Thousand Only) directly to the *de-facto* complainant in Crime No.141 of 2022 by way of Demand Draft and on such acknowledgement, the petitioners are ordered to be released on bail on their executing a separate 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 **Judicial Magistrate Court, Harur**, 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.40,000/-(Rupees Forty Thousand Only) directly to the *de-facto* complainant in Crime No.141 of 2022 by way of Demand Draft and the acknowledgement for the same shall be produced before the learned Magistrate concerned at time of execution of bond.

[c] the petitioners shall report before the respondent police twice daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter as and when required for interrogation.

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

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



CrI.OP.No.17230 of 2022

WEB COPY

[f] 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]**.

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

25.07.2022

mpl



WEB COPY



Crl.OP.No.17230 of 2022

G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate Court,
Harur.
- 2.The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
- 3.Sub-Jail,
Harur.
- 4.The Public Prosecutor,
High Court of Madras

Crl.O.P.No.17230 of 2022

25.07.2022