



Crl.O.P.No.18107 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2022

CORAM

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

Crl.O.P.No.18107 of 2022

Rajesh

...Petitioner

Vs.

State, represented by
The Inspector of Police,
Redhills Police Station,
Chennai District.
(Crime No.456 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in the Crime No.456 of 2022 on the file of the Inspector of Police, Redhills Police Station, Chennai District.

For Petitioner : Mr.P.Chandra Sekar

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



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 11.07.2022 for the offences punishable under Sections 279, 427 IPC read with Section 3 of Tamil Nadu Public Property Damage & Loss Act, 1992 IPC in Crime No. 456 of 2022 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that, the petitioner had driven his vehicle in rash manner and thereby allegedly hit the lamp post and thereby caused damages to 15 Nos of LED Post lights worth about Rs.2,00,000/- . Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that there is no rash and negligent driving on the part of the petitioner. However, on instruction, he would submit that in order to show his bonafide, the petitioner is ready and willing to deposit a sum of Rs.1,00,000/- to the credit of the defacto complainant. Hence, he prayed for grant of bail to the petitioner.



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4. 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., 11.07.2022, this Court is inclined to grant bail to the petitioner.

5. 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.456 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 blood related sureties**, each for a like sum to the satisfaction of the **learned Judicial Magistrate No.II, Ponneri** 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 Lakhs Only)** directly to the *de-facto* complainant in Crime No.456 of 2022 by way of Demand Draft and the proof shall be



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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.

03.08.2022

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To

1. Judicial Magistrate No.II,
Ponneri.
2. The Inspector of Police,
Redhills Police Station,
Chennai District.
3. Central Prison,
Puzhal.
4. The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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