



Crl.OP.No.19478 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2022

CORAM

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

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1.Prakash @ Chandra Prakash
2.Elaisa @ Chandrabose

...Petitioners

Vs.

The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.
In Crime No.290 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.290 of 2022 on the
file of the respondent police.

For petitioners	: Mr.N.Palanivel
For Respondent	: Mr.A.Damodaran, Additional Public Prosecutor

ORDER

The petitioners, who were arrested and remanded to judicial
custody on 15.07.2022 for the offences punishable under **Sections 147,**
148, 294(b), 506(i), 450, 427 & 436 of IPC in crime No.290 of 2022 on
the file of the respondent police, seek bail.



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2. The case of the prosecution is that, the *de-facto* complainant lodged a complaint as against the petitioners and other accused persons alleging that when she came out from her house after hearing the alarming sound from the house of Ravichandran, who is her neighbour, the petitioners and others set ablaze the Ravichandran's house and ransacked the household things which was purchased for his daughter's marriage. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are in Judicial Custody from 15.07.2022 onwards. Hence, he prays for grant of bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that due to previous enmity, the petitioners along with other accused persons set fire to the house of one Ravichandran and caused damages to the worth of about Rs.5,00,000/-. Hence, he



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vehemently opposed to grant bail to the petitioner.

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5. Considering the facts and circumstances of the case, this Court is inclined to grant bail to the petitioners. Accordingly, the each of the petitioners shall pay a sum of Rs.1,00,000/- (Rupees One Lakh Only) directly to the *de-facto* complainant in Crime No.290 of 2022 by way of Demand Draft and on such payment, the petitioners are ordered to be released on bail on their 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 Judicial Magistrate, Tiruthuraipoondi**, 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] each of the petitioners shall pay a sum of Rs.1,00,000/- (Rupees One Lakh Only) directly to the *de-facto* complainant in Crime No.290 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 petitioners shall stay at Chengalpattu and report before the Inspector of Police, Chengalpattu Police Station twice



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daily at 10.30 a.m. and 5.30 p.m. for a period of four weeks and thereafter report before the respondent police daily at 10.30 a.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.

[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.

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mpl



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G.K.ILANTHIRAIYAN, J.

mpl

To

- 1.The Judicial Magistrate, Tiruthuraipoondi.
- 2.The Inspector of Police,
Thiruthuraipoondi Police Station,
Thiruvarur District.
- 3.Sub Jail, Tiruthuraipoondi.
- 4.The Public Prosecutor,
High Court of Madras

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