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CrI.OP.No.19938 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2022

CORAM

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

CrI.OP.No.19938 of 2022

1.Karthick

2.Sathishkumar

..Petitioners

Vs.

State rep. by

The Inspector of Police,

Chinnasalem Police Station,

Kallakurichi District.

(Crime No.237 of 2022)

..Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail pending investigation in Cr.No.237/2022 as under Sections 147, 148, 294(b), 323, 324, 332, 353, 436, 506(ii) of IPC r/w 3, 4, 5 of T.N.P.P.D.L. Act on the file of respondent police.

For Petitioners : Mr.V.Gunasekar

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



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**ORDER**

The petitioners, who were arrested and remanded to judicial custody on 19.07.2022 for the offence under Sections **147, 148, 294(b), 323, 324, 332, 353, 436, 506(ii) of I.P.C. read with 3, 4 & 5 of T.N.P.P.D.L Act** in crime No.237 of 2022 on the file of the respondent police, seek bail.

2. The case of the prosecution is that on the 17.07.2022, the petitioners along with other accused persons jointly held protest as against the respondent police. At that time, they caused damages to the respondent vehicles, school name board and gate. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners were arrested and remanded to judicial custody on 19.07.2022. Hence, he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that petitioners are arrayed as A2 and A57. So far, 68 accused persons were arrested in this Crime number and 38



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accused persons were released on bail. The petitioner/A2 attacked the Inspector of Police with stones on his stomach causing injuries. Subsequently, the injured has been discharged from the hospital. The petitioner/A57 pelted stones on the Deputy Superintendent of Police on his right leg and subsequently, the injured has been discharged from the hospital. They caused damages to the worth of about Rs.15,00,000/- and they set fire to the Police bus. Hence, he vehemently opposed to grant bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant bail to the petitioners. Accordingly, each of petitioners is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.237 of 2022, and on such deposit, 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 **Learned Judicial Magistrate-2, Kallakurichi** and on further conditions that:



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[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 stay at Karur and report before the Inspector of Police, Karur Police Station twice 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., until further orders.**

**[c] each of the petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.237 of 2022, before the concerned Magistrate, at time of execution of bond.**

[d] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

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

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

[g] 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]**.

[h] If the accused thereafter abscond, a fresh FIR can be



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registered under Section 229A IPC.

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**G.K.ILANTHIRAIYAN, J.**

mpl

To

- 1.The Judicial Magistrate-2, Kallakurichi.
- 2.The Inspector of Police,  
Chinnasalem Police Station,  
Kallakurichi District.
- 3.Central Prison, Cuddalore.
- 4.The Public Prosecutor,  
High Court of Madras

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