



WEB COPY



CrI.OP.No.20280 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM

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

CrI.OP.No.20280 of 2022

Anburasu

..Petitioner

Vs.

State rep. by
The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
(Crime No.238 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.238 of 2022 on the
file of the Inspector of Police, Chinnasalem Police Station, Kallakurichi
District.

For Petitioner : Mr.P.Thirumalaivasan

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



CrI.OP.No.20280 of 2022

WEB COPY

ORDER

The petitioner, who was arrested and remanded to judicial custody on 21.07.2022 for the offence under Sections **147, 148, 323, 324, 332, 336, 342, 353, 506(ii), 307 of I.P.C. read with 3 & 5 of T.N.P.P.D.L Act** in crime No.238 of 2022 on the file of the respondent police, seek bail.

2. It is a case that a female student of 12th Std had lost her life by committing suicide in the school premises, for which, on 17.07.2022, the petitioner along with other accused persons jointly held protest as against the respondent police. At that time, they caused damages to the respondent vehicles and attacked the respondent police officers. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner were arrested and remanded to judicial custody on 21.07.2022. Hence, he prays for grant of bail to the petitioner.



Crl.OP.No.20280 of 2022

WEB COPY

4. The learned Additional Public Prosecutor would submit that the specific overt act as against the petitioner is that, the petitioner had caused damaged to public properties vic., police vehicles and also attacked the Police Personnel. 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 petitioner.

6. Accordingly, petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** to the credit of Crime No.238 of 2022, and on such deposit, 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 Judicial Magistrate-II, Kallakurichi** and on further conditions that:



CrI.OP.No.20280 of 2022

[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 report before the respondent police 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] the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.238 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 petitioner shall not abscond either during investigation or trial.

[f] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed



CrI.OP.No.20280 of 2022

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]**.

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

30.08.2022

Sma

To

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



WEB COPY



Crl.OP.No.20280 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.20280 of 2022

30.08.2022