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Crl.OP.No.23029 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2022

CORAM

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

Crl.OP.No.23029 of 2022

K. Rajkumar

....

Petitioner

Vs

The State Rep by
The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.

....

Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.236 of 2022 on the file of the respondent police.

For Petitioner : Mr.C.Harish

For Respondent : Mr.S.Santhosh

Government Advocate (Crl. Side)

ORDER

The petitioner, who was arrested and remanded to judicial custody on 17.07.2022 for the offences punishable under Sections 147, 148, 450, 294(b), 323, 324, 332, 336, 353, 435, 436, 379 and 506(ii) of IPC and Sections 3, 4 and 5 of TNPPDL Act in Crime No. 236 of 2022 on the file of the respondent police, seeks bail.



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2. The case of the prosecution is that on 17.07.2022, the petitioner along with other accused persons jointly held protest as against the respondent police. At that time, they had stolen jewels and cash. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody from 17.07.2022. He would further submit that the petitioner is ready and willing to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No. 236 of 2022. Therefore, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that there are 26 known accused persons and 424 unknown accused persons. So far 156 accused persons were arrested and 95 accused persons were released on bail. All the occurrence had took place inside of the school campus. The total cost of the damages caused by all the accused persons is about Rs.15 Crores. He would further submit that earlier, this Court had dismissed the bail petition filed by the petitioner in Crl.O.P.No.20082 of 2022 on 25.08.2022. Hence, he vehemently opposed to grant bail to the petitioner.



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5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner has come forward to deposit an amount of Rs.50,000/-(Rupees Fifty Thousand only) to the credit of Crime No. 236 of 2022. This Court is inclined to grant bail to the petitioner with certain conditions.

8. Accordingly, the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No. 236 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 blood related sureties**, each for a like sum to the satisfaction of the learned **Judicial Magistrate No.II, Kallakurichi** 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 deposit a sum of Rs.50,000/-(Rupees Fifty Thousand only) to the credit of Crime No. 236 of 2022 and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond;

[c] the petitioner shall report before the respondent police daily Morning at 10.30 a.m., and Evening 05.30 p.m, for a period of six weeks and thereafter, as and when required for interrogation.



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[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.

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To

1.The Judicial Magistrate No.II, Kallakurichi.

2.The Inspector of Police,
Chinnasalem Police Station,
Villupuram District.

3. Central Prison,
Vellore.

4.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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