



Crl.O.P.No.22792 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2022

CORAM

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.22792 of 2022

Rajan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Chinnasalem Police Station,
Kallakurichi District.
Crime No.238 of 2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail in the event of apprehending arrest in
the Crime No.238 of 2022 on the file of the Inspector of Police, Chinnasalem
Police Station, Kallakurichi District.

For Petitioner : Mr.B.Abdul Samath

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.07.2022 for the offences punishable under Sections 147, 148, 323, 324, 332, 336, 342, 353, 307, 506(ii) 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, seeks bail.

2. The case of the prosecution is that on the 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 is arrayed as A59 in this case and similarly placed accused in this case have been granted bail by this Court in Crl.O.P.No.19934 of 2022 dated 25.08.2022. Therefore, he prays for grant of bail to the petitioner.



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4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner is arrayed as A59 in this case and the petitioner along with other accused persons jointly held protest as against the respondent police. He would also submit that the accused persons attacked the Head Constable in his left leg causing injury and the injured has been discharged from the hospital on the same day. He would further submit that they also caused damages to the worth of Rs.1,00,000/- and set fire to the fire-service vehicle and police vehicles. Hence, he vehemently opposed to grant bail to the petitioner.

5. Heard both the learned counsel and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner.



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7. Accordingly, the 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 Court-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 stay at **Kalpakkam** and report before the **Inspector of Police, Kalpakkam 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] 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



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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 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.

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

A.D.JAGADISH CHANDIRA., J.

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