



CrI.O.P.No.24427 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2022

CORAM

THE HON'BLE MR. JUSTICE **SATHI KUMAR SUKUMARA KURUP**

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1.R.Kumaran
2.R.Ramesh
3.J.Vivek
4.A.Natchimuthu
5.K.Jayaganesh @ Jei Ganesh
6.N.Thamburaj
7.J.Buvaneshwaran
8.M.Rajarathinam
9.V.Jagathesh
10.M.Jeevanthan @ Jeeva

... Petitioners

Vs.

The State rep by Inspector of Police,
Peelamedu Police Station,
Coimbatore City.
Crime No.872/2022

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the Petitioner on bail in Crime No.872 of 2022 on the file
of the respondent police.

For Petitioners : Mr.R.C.Paul Kanagaraj

For Respondent : Mr.S.Raja Kumar,
Additional Public Prosecutor



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ORDER

The Petitioners, who were arrested and remanded to judicial custody on 21.09.2022 for the offences punishable under Sections 147, 341, 353, 285 and 506(i) of IPC r/w Section 3(1) of Tamil Nadu Public Properties (Prevention of Damages & Loss) Act in Crime No.872 of 2022 on the file of the Respondent Police, seek bail.

2. It is the case of the prosecution that on 21.09.2022, the Petitioners along with other accused persons forming into an unlawful assembly held protest without permission and damaged the public property. Hence the complaint.

3. The learned Counsel for the Petitioners submitted that the Petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence he prays for grant of bail to the Petitioners.

4. The learned Additional Public Prosecutor appearing for the Respondent vehemently opposed to consider the bail stating that on 21.09.2022, the Petitioners along with other accused persons had formed into



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an unlawful assembly, held protest without permission and damaged the public property.

5. Considering the submission made by the learned Counsel for the Petitioners and vehement objections made by the learned Additional Public Prosecutor for the Respondent, this Court is inclined to grant bail to the Petitioners.

6. Accordingly, each of the Petitioners are ordered to be released on bail on 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 No:II of Coimbatore. Further, one of the sureties shall be a blood relative.

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Judicial Magistrate No:II of Coimbatore obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.



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(b) the Petitioners shall report before the Respondent Police daily at 10.00 a.m., until further orders.

(c) the Petitioners shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the Petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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mpl/vkr



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To

- 1.The Judicial Magistrate No:II,
Coimbatore.
- 2.The Inspector of Police,
Peelamedu Police Station,
Coimbatore City.
3. The Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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SATHI KUMAR SUKUMARA KURUP.,J.

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