



WEB COPY



CrI.O.P.No.24354 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2022

CORAM

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

CrI.O.P.No.24354 of 2022

A.Murugesan

... Petitioner

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.,
pleaded to enlarge the Petitioner on bail in Crime No.872 of 2022 on the file
of the respondent police.

For Petitioner : Mr.R.C.Paul Kanagaraj

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



Crl.O.P.No.24354 of 2022

WEB COPY

ORDER

The Petitioner, who was 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 and 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, seeks bail.

2. It is the case of the prosecution that on 21.09.2022, the petitioner 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 Petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence he prays for grant of bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the Respondent vehemently opposed to consider the bail stating that on



Crl.O.P.No.24354 of 2022

21.09.2022, the petitioner along with other accused persons had formed into an unlawful assembly, held protest without permission and damaged the public property.

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

6. Accordingly, the Petitioner is ordered to be released on bail on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No:2 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:2 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.



Crl.O.P.No.24354 of 2022

WEB COPY

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

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

(d) the Petitioner 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.

06.10.2022

mpl/vkr



Crl.O.P.No.24354 of 2022

WEB COPY

To

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



WEB COPY



Crl.O.P.No.24354 of 2022

SATHI KUMAR SUKUMARA KURUP.,J.

mpl/vkr

Crl.O.P.No.24354 of 2022

06.10.2022