



WEB COPY

Crl.OP(MD)No.20748 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 05/01/2022

PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

Crl.OP(MD)No.20748 of 2021

Naresh Raju

... Petitioner/Accused No.4

Vs.

State represented by
The Inspector of Police,
Thogur Police Station,
Thanjavur District.
(Crime No.356 of 2021)

... Respondent/Complainant

For Petitioner : Mr.R.Murugan, Advocate

For Respondent : Mr.SS.Madhavan,
Government Advocate (Criminal side)

PETITION FOR BAIL under Sec.439 of Cr.P.C

PRAYER :-

For Bail in Crime No.356 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order:-

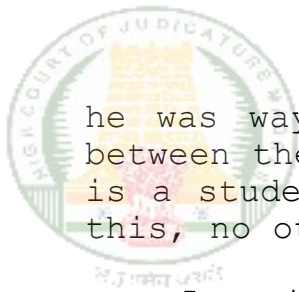
The petitioner, who is arrayed as A4 was arrested on 05/12/2021 and remanded to judicial custody for the offences punishable under sections 294(b), 353, 506(ii) IPC and section 25(1-B)(a) of Arms Act and section 3(1) of TNPPDL Act, in Crime No.356 of 2021 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner along with other accused persons alleged to have entered in quarrel with the police and they also damaged the windscreen of the police outpost and they were also found in possession of arms.

3.The bail application that was filed by this petitioner in Cr.MP No.5897 of 2021 before the Principal Sessions Judge, Thanjavur came to be dismissed on 15/12/2021.

4.It is the case of the petitioner that when the police team was on regular check up at Kallanai Kollidam, New Bridge Roundana,

<https://hcservices.ecourts.gov.in/hcservices/>



he was waylaid by the police and thereafter, wordy quarrel arose between them and the police assaulted the petitioner. The petitioner is a student studying in BBA at ISBR College, Bangalore. So except this, no other occurrence took place as alleged by the prosecution.

5. During the course of argument, the learned Government Advocate (Criminal side) would submit that to show the occurrence and the activities of this petitioner and six accused persons, CCTV footage is available. But that was not produced before this court. However, the photo has been produced by showing the occurrence. In view of the above allegation and the counter allegation, the fact remains that this petitioner is doing his 2nd year BBA. So because of the above said involvement in the occurrence, now the future life of the petitioner is in trouble.

6. Even though the allegation of damage to the windscreen of the police outpost, considering the duration of the custody of this petitioner and he is not involved in similar nature of offence, this court is inclined to grant bail to the petitioner with certain conditions.

7. Accordingly, 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, Thiruvaiyaru and on further condition that the petitioner shall report before the respondent police once in fortnight at 10.30 a.m. before the Judicial Magistrate, Thiruvaiyaru until further orders.

sd/-

05/01/2022

/ TRUE COPY /

/ /2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



3 THE INSPECTOR OF POLICE
THOGUR POLICE STATION, THANJAVUR DISTRICT.

4 THE OFFICER INCHARGE,
SUB JAIL,
THANJAVUR.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.R.MURUGAN, Advocate SR.No.85

ORDER

IN

CRL OP (MD) No.20748 of 2021

Date :05/01/2022

SS/CN/SAR-IV/05.01.2022 : 3P/7C