



WEB COPY



Crl.O.P.No.12375 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2023

CORAM

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

Crl.O.P.No.12375 of 2023

K.Jaganathan

... Petitioner

Vs.

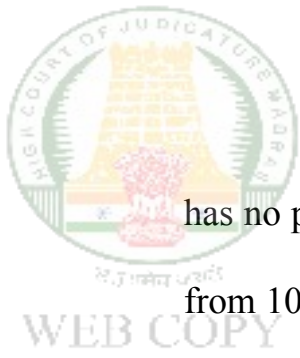
State Rep. by
The Inspector of Police,
H-8, Thiruvottiyur Police Station
Chennai.
Crime No.292 of 2023

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioner on bail concerned in Crime No.292 of 2023
pending on the file of the respondent police.

For Petitioner : Mr.D.T.Janarthanon

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



has no previous case against him and that he has been suffering incarceration from 10.05.2023. Hence, he prayed for grant of bail to the petitioner.

4. The learned Government Advocate (Crl. Side) vehemently opposed for grant of bail to the petitioner stating that there was a dispute between the petitioner and the defacto complainant who is the President of Dr.Kalaignar Narpani Mandram due to which, the petitioner set fire to the Mandram and that the damage is estimated as Rs.40,000/-.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent police and perused the materials available on record including the FIR.

6. Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side and the period of incarceration undergone by the petitioner, this Court is inclined to grant of 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, Thiruvottiyur**, 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 Cuddalore and report before the Inspector of Police, O.T. Police Station, everyday at 07.30 p.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] 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 petitioners 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]*;



WEB COPY



CrI.O.P.No.12375 of 2023

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 229A IPC.

06.06.2023

ksa-2

To

1. The Judicial Magistrate, Thiruvottiyur.
2. The Inspector of Police,
H-8, Thiruvottiyur Police Station
Chennai.
3. The Superintendent,
Central Prison, Puzhal, Chennai.
4. The Public Prosecutor,
High Court of Madras.

Copy to:

**The Inspector of Police,
O.T. Police Station, Cuddalore.**



WEB COPY



Crl.O.P.No.12375 of 2023

A.D.JAGADISH CHANDIRA,J.,

ksa-2

Crl.O.P.No.12375 of 2023

06.06.2023