



CrI.OP.No.14788 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.07.2023

CORAM

THE HON'BLE MR. JUSTICE **G.CHANDRASEKHARAN**

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1.Rajini @ Ranjiniganth

2.Manikandan

3.Madhavan @ Madhavarajan

..Petitioners

Vs.

The State Rep by
The Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.
(Crime No.560 of 2022)

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.560 of 2022 on the file of the Inspector of Police, Thiruthuraipoondi Police Station, Tiruvarur District.

For Petitioners : Mr.R.Naresh Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam



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Government Advocate (CrI.side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 28.10.2022 for the offences punishable under Sections 147, 148, 294-b, 353, 332, 307, 506 (ii) I.P.C. and 3 (1) of the Public Property (Prevention of Damage & Loss) Act, 1992 in Crime No.560 of 2022 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioners submitted that, petitioners are shown as accused in Crime No.560 of 2022 registered for the offences under Sections 147, 148, 294-b, 353, 332, 307, 506 (ii) I.P.C. and 3 (1) of the Public Property (Prevention of Damage & Loss) Act, 1992. Though they are detained under Goondas Act, detention was set aside by this Court in H.C.P.Nos.2531, 2532 and 2533 of 2022 on 12.06.2023. Petitioners are innocent and they are in judicial custody from 28.10.2022. Therefore, he prays for grant of bail to the petitioners.

3.In response, the learned Government Advocate (CrI. Side) submitted that, when the defacto-complainant along with others were



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trying to remove encroachment in Eri porombok, the accused in this case prevented the public servants from discharging their duty and also made physical assault against the officials. Hence, he opposed for grant of bail to the petitioners.

4.Considering the fact that petitioners are in judicial custody from 28.10.2022 and also considering that detention order was set aside against them and that the substantial part of the investigation might have been over by this time, this Court is inclined to grant bail to the petitioners.

5. Accordingly, the petitioners are ordered to be released on bail on their executing a bond for a sum of **Rs.25,000/- each** (Rupees Twenty Five thousand only) each with **two sureties**, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruthuraipoondi, 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



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Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners 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 petitioners 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].

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

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To

1. Judicial Magistrate, Thiruthuraipoondi,

2. The Inspector of Police,
Thiruthuraipoondi Police Station,
Tiruvarur District.

3. Central Prison,
Tiruchirappalli.

4. The Public Prosecutor,
High Court of Madras



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G.CHANDRASEKHARAN. J.

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