



Crl.OP.No.14710 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.07.2023

CORAM

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

Crl.OP.No.14710 of 2023

Ramalingam

..Petitioner

Vs.

The State Rep by
The Inspector of Police,
Mangalam Police Station,
Tiruvannamalai,
Cr.No.185 of 2023

...Respondent.

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.185 of 2023 on the
file of respondent Police.

For Petitioner : Mr.B.Jawahar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 19.06.2023 for the offence punishable under Section 436 I.P.C., in Crime No.185 of 2023 on the file of the respondent police, seeks bail.

2.The learned counsel for the petitioner submitted that, petitioner is accused in Cr.No.185 of 2023 registered for the offence under Section 436 of I.P.C. Petitioner is in judicial custody from 19.06.2023. Therefore, he prays for grant of bail to the petitioner.

3.In response, the learned Government Advocate (Criminal Side) submitted that petitioner had under the influence of alcohol set paper on fire and put inside the tasmac shop. Immediately it was doused and no damage had been caused.

4.Considered the rival submissions and perused the records.



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5. Considering the fact that petitioner had only set a paper on fire and put inside the tasmac shop and no damage was caused and also the fact that he is in judicial custody from 19.06.2023 and the material part of investigation is over, this Court is inclined to grant bail to the petitioner.

6. 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 No.II, Tiruvannamalai**, 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 report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during



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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 petitioner 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.The Judicial Magistrate No.II, Tiruvannamalai.

2.The Inspector of Police,
Mangalam Police Station,
Tiruvannamalai,

3.Central Prison, Vellore

4.The Public Prosecutor,
High Court of Madras



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