



CrI.OP.No.16213 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :21.07.2023

CORAM

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

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1. Srinivasan
2. Mahavishnu @ Sabari
3. Barathi Kannan
4. Arunagiri
5. Vaanjinathan
6. Santhosh Kumar
7. Udhayanidhi
8. Hariharan
9. Kailash

..Petitioners

Vs.

The State Rep. By
The Inspector of Police,
Thodamuthur Police Station,
Coimbatore District.
Crime No.88 of 2023

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioners on bail in Crime No.88 of 2023 on the
file of the respondent police.



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For Petitioners : M/s.C.D.Sugumar

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

ORDER

The petitioners, who were arrested and remanded to judicial custody on 04.07.2023 for the offences punishable under Sections 147, 148, 448, 294(b), 324, 506(ii) of IPC and read with Section 3(1) of Tamil Nadu Public Property (Prevention of Damage & Loss)Act in Crime No.88 of 2023, on the file of the respondent police seeks bail.

2. The learned counsel for the petitioners submitted that, petitioners are innocent persons and they have been falsely implicated in a case registered for the offence under Sections 294(b), 324, 506(ii) of IPC altered into Sections 448, 294(b), 324, 506(ii), 307 of IPC in Crime No.294 of 2023. Hence, he seeks bail to the petitioners.

3. In response, learned Government Advocate (Crl. Side) submitted that, on 03.07.2023 at about 09.30.p.m., accused went to the bar at Thennamanallur Road, Puthur. At that time, bar incharge informed the accused that Bar has to be closed and asked them to leave. Later, at



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10.30.p.m., accused had came there and started damaging the articles kept in the bar and caused injuries to one Karthick on his head using beer bottle. He further submitted that, injured has been discharged from the hospital.

4. Considering the nature, facts and circumstances of the case and the injured victims had been discharged from the hospital and the petitioners is in Judicial Custody from 04.07.2023 and that the material 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/-** (Rupees Twenty Five thousand only) with **two sureties**, each for a like sum to the satisfaction of the learned **Principal District & Sessions Judge, Coimbatore** 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.



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[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. Principal District & Sessions Judge, Coimbatore

2. The Inspector of Police,
Thodamuthur Police Station,
Coimbatore District.

3. Central Prison,
Coimbatore.

4. The Public Prosecutor,
High Court of Madras

G.CHANDRASEKHARAN. J.



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