



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2023

CORAM:

THE HON'BLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.20127 of 2023

Sampath

.. Petitioner/1st Accused

Vs.

The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai District
(Crime No. 189/2023)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 439 of Cr.P.C praying to enlarge the petitioner on bail in Crime No.189 of 2023 on the file of the Inspector of Police, Mangalam Police Station, Thiruvannamalai District.

For Petitioner : M/s.S.Silambuselvan

For Defacto Complainant : Mr.B.Jawahar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



ORDER

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The petitioner is the brother of the defacto complainant. On the allegations that the petitioner forcibly demolished the wall of the defacto complainant, a case was registered under Sections 448, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.189 of 2023 on 17.06.2023.

2. The petitioner earlier sought for anticipatory bail and the same was granted on condition, since he did not comply the condition, he was arrested on 12.08.2023. Now he seeks for bail.

3. On perusing the record, this Court is of the view that the petitioner may be granted bail. Accordingly, the petitioner is ordered to be released on bail subject to the following conditions;

(a) the petitioner shall execute a bond for a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with two sureties, each for a like sum, to the satisfaction of the learned **Judicial Magistrate, No.2, Thiruvannamalai;**



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(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar Card or Bank Pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further order;

(d) the petitioner shall not abscond either during investigation or trial;

(e) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Judicial 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];

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

01.09.2023

rpl

To

1.The Judicial Magistrate, No.2, Thiruvannamalai.

Dr.G.JAYACHANDRAN, J.

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rpl

2.The Inspector of Police,
Mangalam Police Station,
Thiruvannamalai District

3.The Superintendent,
Central Prison,
Vellore

4.The Public Prosecutor,
High Court, Madras.

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