



WEB COPY



Crl.OP.Nos.22725, 22758 & 22769 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.OP.No.22725, 22758 & 22769 of 2023

Arunraj	... Petitioner in Crl.O.P.No.22725 of 2023
Ajithkumar	... Petitioner in Crl.O.P.No.22758 of 2023
Hariraj	... Petitioner in Crl.O.P.No.22769 of 2023

Vs.

State represented by the
Inspector of Police,
Koothanallur Police Station,
Thiruvarur District.
(Crime No.325 of 2023)

...Respondent in all petitions

Common prayer:

Criminal Original Petitions have been filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No. 325 of 2023 on the file of respondent police on such terms and conditions.

(In all the petitions)

For Petitioner	: Mr.J.Jawahar
For Respondent	: Mr.R.Kishore Kumar Government Advocate (Crl. Side)



WEB COPY



Crl.OP.Nos.22725, 22758 & 22769 of 2023

COMMON ORDER

The petitioner in all the petitions were arrested and remanded to judicial custody on 24.08.2023 for the offence punishable under Sections 147, 148, 452, 294(b), 506(ii) of IPC r/w Section 3(1) of TNPPDL Act, in Crime No.325 of 2023 on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to previous enmity with the defacto complainant, the petitioners joined together and assembled unlawfully and quarreled with the defacto complainant. During quarrel, the petitioners abused the defacto complainant in filthy language and threatened him with dire consequences and also damaged the house of the defacto complainant, house of his neighbour and an auto. Hence, the case.

3. The learned counsel for the petitioner in all the petitions submitted that the petitioners are innocent persons and they have been falsely roped in this case. He further submitted that the petitioners have



Crl.OP.Nos.22725, 22758 & 22769 of 2023

been in custody for nearly 40 days and the petitioners are ready to abide by any stringent condition imposed by this Court. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) stated that the petitioners are arrayed as A4, A5 and A6. Due to previous enmity, the petitioners have abused the defacto complainant in filthy language and threatened him with dire consequences. He further stated that one of the accused/A2 is absconding and investigation is still pending. Hence, he vehemently opposed to grant bail to the petitioners.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, **the petitioners are directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) each to the credit of Crime No.325 of 2023 before the Judicial Magistrate – II,**



Crl.OP.Nos.22725, 22758 & 22769 of 2023

Mannargudi, and the said amount will be disbursed to the defacto complainant, the neighbouring house owner and owner of the auto in equal parts by the Judicial Magistrate, and on such deposit, the petitioners are ordered to be released on bail on their executing separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Mannargudi, 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 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.



WEB COPY



Crl.OP.Nos.22725, 22758 & 22769 of 2023

[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.

04.10.2023

ata/mkn-2

To

1. Judicial Magistrate- II,
Mannargudi.
2. Sub-jail,
Mannargudi.
3. The Public Prosecutor,
High Court of Madras

C.V.KARTHIKEYAN. J.



WEB COPY



Crl.OP.Nos.22725, 22758 & 22769 of 2023

ata

Crl.OP.No.22725, 22758 & 22769 of 2023

04.10.2023