



CrI.OP.No.23558 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

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1.Madhan Kumar
2.Ganesh Kumar

...Petitioners

Vs.

State by
Inspector of Police,
Arcot Town Police Station,
Ranipet District.
(Crime No.403 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the Petitioners on bail as against the case pending on the file of the Respondent police in Crime No.403 of 2023.

For Petitioners : Mr.D.Thirumoorthy

For Respondent : Mr.R.Kishore Kumar
Government Advocate (Criminal Side)

ORDER

The petitioners, who were arrested and remanded to judicial custody on 06.09.2023 for the offence punishable under Section 308 of



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IPC and Sections 3 and 4(a) of Explosive Substance Act, 1908 in Crime No.403 of 2023 on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the residents of the Village were lighting the candles at a church, the petitioners were smoking. When it was questioned, there was a wordy quarrel and that was happened on 04.09.2023. Later on 06.09.2023, the petitioners had thrown petrol on the defacto complainant.

3.It is stated by the learned counsel for the petitioner that no one has been injured in this case.

4.Taking into consideration all the facts and the long period of incarceration undergone by the petitioners, this Court is inclined to grant bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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, Arcot, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the first petitioner shall stay at Trichy and report before the Inspector of police, Cantonment Police Station, Trichy daily at 10.30 a.m., until further orders; the second petitioner shall stay at Kanniyakumari and report before the Inspector of Police, Aralvoimozhi Police Station, 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.

12.10.2023

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C.V.KARTHIKEYAN. J.

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To

1.The Judicial Magistrate, Arcot.

2.The Central Jail, Vellore.

3.Inspector of Police,
Arcot Town Police Station,
Ranipet District.

4.The Public Prosecutor,
High Court of Madras.

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