



CrI.O.P.No.25559 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

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

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1.Subramanian
2.Sekar
3.Karuppannan @ Senthilkumar ...Petitioners/Accused 1 to 3

Vs.

State represented by the
Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.

(Crime No.103 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. 103 of 2023 on
the file of respondent police on such terms and conditions.

For Petitioners : Mr.W.Camyles Gandhi
For Respondent : Mr.R.Kishore Kumar
Government Advocate (CrI. Side)



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ORDER

The petitioners/A1 to A3 seeks bail in Crime No.103 of 2023, which had been registered for the offences punishable under Sections 447, 427 of IPC r/w Section 3(1) of TNPPDL Act, 1992. The petitioners had been remanded to judicial custody on 20.10.2023.

2.It had been stated that earlier one Nithya, a resident of said village had been murdered and taking umbrage of that particular fact, all the accused persons entered into the farm land of the defacto complainant and cut down the trees and causing loss to the tune of Rs.8,64,000/-.

3.The learned counsel for the petitioner stated that the petitioners are innocent and owing to the provocation, the entire incident had happened.

4.It is stated on behalf of the respondent that the Superintendent of Police had called for a peace committee meeting and has now resolved the issues. Taking that factor into consideration, I am inclined to grant



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bail to the petitioners subject to the condition that the petitioners shall deposit a sum of Rs.25,000/- each, to the credit of Crime No.103 of 2023, before the Judicial Magistrate, Paramathi, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the learned Judicial Magistrate may pay that amount to the defacto complainant.

5.Accordingly, 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 Judicial Magistrate, Paramathi, 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 everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.



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[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. The Judicial Magistrate, Paramathi.
2. Central Prison, Salem.
3. The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras



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C.V.KARTHIKEYAN. J.

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