



Crl.O.P.No.27187 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM

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

Crl.O.P.No.27187 of 2023

Saravanakumar S/o. Velumani

...Petitioner/Accused-3

Vs.

The State rep. by
The Inspector of Police,
Jedarpalayam Police Station,
Namakkal District.

(Crime No.33 of 2023)

...Respondent

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in Crime No.33 of 2023 on the file of the respondent police on such terms and conditions.

For Petitioner : Mr.W.Camyles Gandhi

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



CrI.O.P.No.27187 of 2023

WEB COPY

ORDER

The petitioner is A3 in Crime No.33 of 2023, registered by the respondent for the offences punishable under Sections 436, 511 @ 436, 511 of IPC r/w Section 3 of Explosive Substances Act. The petitioner had been taken into custody on 13.10.2023.

2.It is stated that A1 and A2 had been detained under Act 14 of 1982, and thereafter, the said detention order had been revoked.

3.It is stated that the incident had taken place on 14.04.2023.

4.The learned counsel for the petitioner stated that the defacto complainant is the President of the Tamil Nadu Farmer's Association at Jedarpalayam and is the father of the 2nd accused. It is also stated that owing to the murder of one young girl, all the villagers had taken issues in their own hands and proceeded to cut substantial number of trees in the farm of the defacto complainant.

5.So far as this particular case is concerned, it is stated that the accused persons had thrown petrol bomb on the farm of the defacto complainant.

6.On consideration, this Court had granted bail to A1 and A2. That



is a change in circumstance from the previous order.

7.Taking into consideration all these factors and the period of incarceration, I am inclined to grant bail to the petitioner subject to the following conditions:

8.Accordingly, the petitioner is ordered to be released on bail on his executing a 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 Judicial Magistrate, Paramathi, and on further conditions that :-

[a] the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

[b] The petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[d] the petitioner 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 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



CrI.O.P.No.27187 of 2023

of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

30.11.2023

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CrI.O.P.No.27187 of 2023

To

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

C.V.KARTHIKEYAN. J.



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CrI.O.P.No.27187 of 2023

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30.11.2023