



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/03/2023

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.6118 of 2023

Mohan

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
Natchiyarkoil Police Station,
Thanjavur District.
(Crime No.176/2023).

... Respondent/Complainant

For Petitioner : M/s.Jameel Arasu B,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Cr NO.176/2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / sole accused who was arrested and remanded to judicial custody on 02.03.2023 for the offences under sections 294(b), 342 and 436 of IPC in Crime No.176 of 2023 on the file of the respondent police seeks bail.

2. The case of the prosecution is that there was some dispute regarding selling of paddies in the Tamil Nadu Civil Supplies Corporation, hence on 01.03.2023 the accused persons said to have set fire to the motor pump of the defacto complainant and caused damage to the tune of Rs.1,50,000/-

3. Heard. Perused the materials available on record including the First Information Report.

<https://www.mhc.tn.gov.in/judis>
4. Taking into consideration of the facts and submissions made by the learned counsels and also the period of incarceration, this



court is inclined to grant bail to the petitioner , subject to the following conditions:

5. 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 learned Judicial Magistrate, Kumbakonam, Thanjavur District 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 petitioner shall pay a sum of Rs.50,000/- as compensation to the defacto complainant directly and shall produce the receipt/ acknowledgement before the concerned Magistrate at the time of executing the bond and on verification of the same, the learned Magistrate shall accept the sureties furnished by the petitioner.

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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 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.

sd/-

31/03/2023

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31/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
KUMBAKONAM, THANJAVUR DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
NATCHIYARKOIL POLICE STATION, THANJAVUR DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6118 of 2023
Date :31/03/2023

SS/SBN/31/03/2023/3P/6C