



Crl.O.P.No.1200 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2024

CORAM

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

Crl.O.P.No.1200 of 2024

Vijayaraj
S/o. Perumal

...Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Arakkonam Taluk Police Station,
Ranipet.
(Crime No.480 of 2023)

...Respondent / Complainant

PRAYER:

Criminal Original Petition is filed under Section 439 of Cr.P.C.
praying to enlarge the petitioner on bail in Crime No.480 of 2023 on the
file of the respondent police.

For Petitioner : Mr.U.Yuvaraj
For Respondent : Mr.L.Baskaran,
Govt. Advocate (Crl. Side)



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ORDER

The petitioner, who was arrested and remanded to judicial custody on 25.12.2023 for the offences punishable under Sections 294(b) of IPC and Section 4 of TNPPDL Act in Crime No.482 of 2023, seeks bail.

2.It is the case of the prosecution that the defacto complainant, an auto driver had given a complaint that his Tata Sumo vehicle bearing Registration No. TN-73-Y-7958 was found burnt in the place where it was parked. He alleged that the petitioner was the reason for that.

3.It is the case of the petitioner, however, that the wife of the petitioner had engaged the auto of the defacto complainant to purchase sewing machine, to go to Kancheepuram, but it is stated that the defacto complainant and the wife of the petitioner had a dispute. It is stated that therefore the defacto complainant had a motive against the petitioner herein and had wrongly implicated the petitioner.

4.It is stated by the learned Government Advocate (Criminal Side) for the respondent that the loss suffered by the defacto complainant is a sum of Rs.1,80,000/-.

5.Taking all the factors into consideration, since the prosecution



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will have to establish the case during the course of trial, I am inclined to grant bail to the petitioner, however, directing the petitioner to deposit a sum of Rs.75,000/- to the credit of Crime No.480 of 2023 and on such deposit, the learned Judicial Magistrate, Arakkonam, may transfer the amount to any interest earning fixed deposit account in anyone of the Nationalized Banks and pass final orders on conclusion of trial. If the petitioner is acquitted, the amount with interest may be handed back to the petitioner and if the petitioner is convicted, the amount with interest may be handed over to the defacto complainant.

6. Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 learned Judicial Magistrate, Arakkonam, 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 report before the respondent police everyday at 10.30 a.m., for a period of two weeks



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and thereafter as and when required for the interrogation.

[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 of Kerala [(2005)AIR SCW 5560].

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

23.01.2024

smv

To



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1. The Judicial Magistrate, Arakkonam.
2. The Central Prison, Vellore.
3. The Inspector of Police,
Arakkonam Taluk Police Station,
Ranipet.
4. The Public Prosecutor,
High Court of Madras.

C.V.KARTHIKEYAN. J.

smv



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