



Crl.O.P.No.4521 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

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

Crl.O.P.No.4521 of 2024

Elumalai

... Petitioner

Vs.

The State represented by  
Inspector of Police,  
Ammamet Police Station,  
Salem District  
( Crime No. 54 of 2024)

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 439 of Cr.P.C.,  
prayed to enlarge the petitioner on bail in Crime No.54 of 2024 on the file of  
the respondent.

For Petitioner : Mr. R. Pandimeena

For Respondent : Mr.L.Baskaran  
Government Advocate (Crl. Side)

**ORDER**

The petitioner/A1 seeks bail in Crime No.54 of 2024, registered by  
the respondent police for the offence under Section 4 of TNPPDL Act. The



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petitioner had been remanded to judicial custody on 12.01.2024 for the offence of setting fire to a two-wheeler belonging to the defacto complainant.

2.It is stated that he had taken umbrage over the sister of the defacto complainant not being in intimate terms with him. It is stated by the respondent that the value of the damages caused to the motor cycle comes around Rs.10,000/-.

3.The learned counsel for the petitioner stated that the petitioner is prepared to deposit a sum of Rs.10,000/- for the damages. He further pointed out the period of incarceration suffered by the petitioner.

4. Merely, because the petitioner deposit the said amount, it would not amount to admission of their guilt. Therefore, it is open to the trial Court to deal with the case independently.

5.Taking all these factors into consideration, I am inclined to grant bail to the petitioner subject to the following conditions:

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 Court No. V, Salem** and on further conditions that:-



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[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 deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.54 of 2024 before the **learned Judicial Magistrate Court No. V, Salem** and on such deposit, the **learned Judicial Magistrate Court No. V, Salem** may hand over the said amount to the defacto complainant.

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

[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.

**26.02.2024**

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To

1.The **Judicial Magistrate Court No. V, Salem**

2The State represented by  
Inspector of Police,  
Ammamet Police Station,  
Salem District

3.The Central Prison, Salem

4. The Public Prosecutor, High Court of Madras.



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**C.V.KARTHIKEYAN, J.**

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