



Crl.O.P.No.7138 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2024

CORAM

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

Crl.O.P.No.7138 of 2024

1.Sureshkumar
2.Valli

.Petitioners

Vs.

State represented by
The Sub Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
(Crime No.170 of 2024).

...Respondent

PRAYER: Criminal Original Petition is filed under Section 439 of Cr.P.C. praying to enlarge the petitioners on bail in Crime No.170 of 2024 on the file of the respondent police.

For Petitioners : Mr.D.Thirumoorthy
For Respondent : Mr.L.Baskaran
Govt. Advocate (Crl. Side)

ORDER

The petitioners/A1 & A2, who were arrested and remanded to judicial custody on 09.03.2024 for the offences registered by the



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respondent Police under Sections 448, 294(b), 109, 506(i) of IPC r/w 4 of PPD Act in Crime No.170 of 2024 on the file of the respondent, seek bail.

2.It is stated that the petitioners and the defacto complainant are very close relatives. There were disputes over a property and then disputes over the electricity connection. Everybody in the family started fighting each other. They then thought that it would be a good idea to set the motorcycle on fire. It is alleged that these petitioners set the motorcycle of the defacto complainant on fire and also caused damages to household articles, refrigerator, washing machine and television. The cost of the motorcycle was estimated as Rs.35,000/-

3.Taking all the factors into consideration and the period of incarceration, this Court is inclined to grant bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on bail on condition to execute a separate 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, Gudiyatham 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 first petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and the second petitioner shall report before the respondent Police, on every Saturday at 10.30 a.m., for a period of two weeks.

[c] the petitioners shall jointly deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) to the credit of Crime No.170 of 2024 and the amount shall be kept in a fixed deposit by the Judicial Magistrate, Gudiyatham and final orders to be passed on the conclusion of the trial.

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

[e] the petitioners 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 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



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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.

22.03.2024

vkr

To

- 1.The Judicial Magistrate, Gudiyatham.
2. The Sub Jail, Gudiyatham.
3. The Central Prison for Women, Vellore.
- 3.The Sub Inspector of Police,
Gudiyatham Taluk Police Station,
Vellore District.
- 4.The Public Prosecutor, High Court of Madras.



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C.V.KARTHIKEYAN. J.

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