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Crl.O.P.No.7726 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **27.03.2024**

CORAM

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

Crl.OP.No.7726 of 2024

Dhinesh

...Petitioner / A8

Vs.

State rep by,
The Inspector of Police,
Needamangalam Police Station,
Thiruvarur District.
(Crime No.85 of 2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C. praying to enlarge the petitioner on bail in FIR in Crime No.85 of 2023 on the file of the respondent police.

For Petitioner : Mr. J. Jawahar

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

ORDER

The petitioner/A8 seeks bail in Crime No.85 of 2023 registered under Sections 147, 148, 294(b), 336 of I.P.C r/w 3(1) of Tamil Nadu Public



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Property (Prevention of Damage and Loss) Act, on the file of the respondent police. The petitioner had been remanded to judicial custody on 04.03.2024.

2.The case of the prosecution is that during the funeral procession of a leader of a political party who had been murdered, the petitioner along with other accused had caused damages to a nearby shop. Hence the complaint.

3. The learned Government Advocate appearing for the respondent submitted that A6,A7 and A9 had been granted bail by the Lower Court and A12 had been granted bail by this Court in Crl.O.P.No.7122 of 2024 dated 26.03.2024.

4.Taking all the factors into consideration and 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 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 District Munsif Cum Judicial Magistrate, Needamangalam,** 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 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 of Kerala [(2005)AIR SCW 5560].

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

27.03.2024

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C.V.KARTHIKEYAN, J.

smv

To

1. The District Munsif Cum Judicial Magistrate, Needamangalam.
2. The Inspector of Police,
Needamangalam Police Station,
Thiruvarur District.
3. The Sub Jail, Thiruvarur
4. The Public Prosecutor, Madras High Court.

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