



Crl.O.P.No.12351 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM :

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

Crl.OP.No.12351 of 2024

1. Abhishek

2. Akash

.. Petitioners

Vs.

The State Represented by
The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.

Crime No.200 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.200 of 2024
pending on the file of the respondent Police.

For Petitioners : Mr.K.Arumugam

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl. Side)



Crl.O.P.No.12351 of 2024

WEB COPY

ORDER

The petitioners who were arrested and remanded to judicial custody on 28.04.2024 for the offences punishable under Sections 147, 149, 435 of IPC and Section 4 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 in Crime No.200 of 2024 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the accused had unlawfully assembled and caused damaged to the house and the properties belonging to the de facto complainant, by throwing petrol bombs.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are in custody from 28.04.2024 and the co-accused in this case have been granted bail by this Court in Crl.O.P.No.12572 of 2024 vide order dated 24.05.2024 and the



Crl.O.P.No.12351 of 2024

petitioners are also ready to comply with the similar conditions, hence, he prayed for grant of bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to the previous enmity, the accused had unlawfully assembled and thrown petrol bombs over the house of the de facto complainant and caused damaged to the property. He further submitted that several cases are pending against the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the submissions made by the learned counsel on both sides and having regard to the fact that the co-accused have been granted bail by this Court, this Court is inclined to grant bail to the petitioners herein with the similar conditions passed in Crl.O.P.No.12572 of 2024.



Crl.O.P.No.12351 of 2024

WEB COPY

7. Accordingly, the petitioners are ordered to be released on bail on executing separate bonds each for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, for a like sum to the satisfaction of the **learned Judicial Magistrate No.III, Tirupattur 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 petitioners, without prejudice to their defence, shall pay a sum of Rs.10,000/- each, to the de facto complainant and the proof of such payment shall be produced before the satisfaction Court concerned at the time of executing the bail bond;

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

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

[e] the petitioners shall not tamper with evidence



CrI.O.P.No.12351 of 2024

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 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.

29.05.2024

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To

1. The Judicial Magistrate No.III,
Tirupattur District
2. The Sub Jail,
Tirupattur District
3. The Public Prosecutor,
High Court of Madras.
4. The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.



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Crl.O.P.No.12351 of 2024

S. SOUNTHAR, J.

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Crl.O.P.No.12351 of 2024

29.05.2024