



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CrI.O.P.No.12369 of 2024

1.Radhakrishnan
2.Suresh
3.Selvamani

... Petitioners

Vs.

State Rep by.
The Inspector of Police
Devattipatti Police Station, Salem District.
Crime No. 254 of 2024

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioners on bail in crime No. 254 of 2024 pending
on the file of respondent police.

For Petitioner : Mr.M.Sivakumar
For Respondent : Mr.V.Meganathan, B.A., B.L.,
Government Advocate (Crl. Side)



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ORDER

The petitioners, who were arrested and remanded to judicial custody on 03.05.2024 for the alleged offences punishable under Sections 147, 148, 341, 294(b), 324, 332, 506(ii) IPC and Section 3(1) of TNP (PD &L) Act **in crime No. 254 of 2024** on the file of the respondent, seeks bail.

2. The case of the prosecution is that there was dispute between the two communities regarding entering the temple. Due to which, the petitioners blocking the road and pelting stones and assaulted and caused disruption to the traffic and public, which resulted in injuring some persons including police officials and also caused damages to the police vehicles and electric lights. Hence, the case.

3. The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and the petitioner were not involved in the said offence as alleged by the prosecution. Hence, he prays to allow this petition.



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4. The learned Government Advocate (Crl Side) submits that the petitioners caused disruption to the public and also assaulted the police officials. He prays to dismiss this petition.

5. Considering the period of incarceration undergone by the petitioners and also the investigation is almost completed. Hence, this Court is inclined to grant bail to the petitioners with the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties (one must be a blood surety)**, each for a like sum to the satisfaction of the **learned Judicial magistrate court, Omalur**, 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;



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[b] the petitioners shall stay report before the respondent police on alternative days at 10.30 a.m., for a period of three months.

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

[d] the petitioners 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 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]**;

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

05.06.2024

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T.V.THAMILSELVI,J.



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To

1. The **Judicial magistrate court, Omalur,**
2. The Inspector of Police
Devattipatti Police Station, Salem District.

3. The Central Prison, Salem.

4. The Public Prosecutor,
High Court of Madras.

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