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Crl.O.P.No.12453 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.05.2024

CORAM

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.O.P.No.12453 of 2024

1.Gnanasekaran
2. Gunasekaran
3

...Petitioners/Accused No.2 and

Vs.

State by:-
The Inspector of Police,
Tiruvarur Taluk Police Station,
Tiruvarur
(Crime No.131/2024)
...Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 439 of Cr.P.C.,
pleased to enlarge the petitioners on bail, in connection with Crime No.131 of
2024 on the file of the respondent police.

For Petitioners : Mr. G.Dinesh
For Respondent : Mr. R.Vinoth Raja
Government Advocate (Crl.Side)



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ORDER

The petitioners herein are the second and third accused arrested on 17.04.2024 and have been remanded to judicial custody on the same day for the offences committed under Sections 147, 294 (b), 324, 506 (ii) of the Indian Penal Code and Section 3 of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act in Crime No.131 of 2024, registered on the file of the respondent Police, seek bail.

2. The case of the prosecution is that the petitioners attacked the defacto complainant/neighbour and further damaged the car of the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons, who are no way connected with the alleged offence, and a false complaint has been foisted against them. He also submitted that it is a case and case in counter. Hence, he prayed for grant of bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that a civil dispute between the parties which has resulted in the aforesaid alleged offences under Sections 147, 294 (b), 324, 506 (ii) of the Indian Penal Code and Section 3 of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act.

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

6. Having considered the submissions made by the learned counsel for the petitioners and the learned Government Advocate (Crl.Side), this Court is inclined to grant bail to the respective petitioners subject to the petitioners depositing a sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred Only) (each) to the credit of Crime No.131 of 2024.

7. Accordingly, the petitioners shall deposit a sum of Rs.7,500/- (Rupees Seven Thousand Five Hundred only) each to credit of Crime No.131



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of 2024 to prove their *bonafide* and on such deposit the petitioners are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Tiruvarur 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 shall report before the respondent police daily at 10.30.a.m., until further orders.

[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 petitioners 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**



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Kerala [(2005)AIR SCW 5560].

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

23.05.2024

dk

Note:

1.Registry is directed to forthwith upload this order
in the official website of this Court.

2.All concerned to act on this order being uploaded in
official website of this Court without insisting on
certified hard copies. To be noted, this order when
uploaded in official website of this Court will be
watermarked and will also have a QR code.

To

1. The Judicial Magistrate, Tiruvarur.

2.The Inspector of Police,
Tiruvarur Taluk Police Station,
Tiruvarur.

3.The Public Prosecutor,
High Court of Madras.



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C.SARAVANAN.,J.

dk

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