



Crl.O.P.No.12528 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.05.2024

CORAM

THE HON'BLE MR. JUSTICE S. SOUNTHAR

Crl.O.P.No.12528 of 2024

1.S.Dhaneshraj

2.Abinesh

...Petitioners

Vs.

State represented by
The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District.
(Crime No.212 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.212 of 2024 on the file of the Inspector of Police, Arni Town Police Station, Thiruvannamalai District.

For Petitioners : Mr.T.Vijayan

For Respondent : Ms.Inshiya Farveen Iqbal
Government Advocate (Crl. Side)

ORDER



Crl.O.P.No.12528 of 2024

WEB COPY

The petitioners who were arrested and remanded to judicial custody on 27.04.2024 for the offences registered by the respondent Police under Sections 435, 294(b), 506(i) r/w 4 of TNPPDL Act in Crime No.212 of 2024, seeks bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant. Due to which, the petitioners set fire to the three(3) two wheelers of the defacto complainant. Hence, the defacto complainant preferred a complaint before the respondent Police.

3.The learned counsel for the petitioners stated that the petitioners are an innocent persons and they have been falsely implicated in this case. He also stated that the petitioners are ready to deposit some reasonable amount to any welfare scheme of the Government and they are in judicial custody from 27.04.2024. Hence, he prays for grant of bail.

4.The learned Government Advocate (crl.side) stated that there are three previous cases against A1 and one previous case against A2. Hence, he opposed for grant of bail to the petitioners.

5.Taking all the factors into consideration and the period of incarceration and also of the fact that the petitioners have come forward



CrI.O.P.No.12528 of 2024

to deposit an amount of Rs.30,000/- to any welfare scheme of the Government, this Court is inclined to grant bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are directed to make a non-refundable deposit of Rs.30,000/- (Rupees thirty thousand only) each to the credit of District Legal Services Authority, Tiruvannamalai District and on such deposit, each of the petitioners is ordered to be released on bail on executing 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 Judicial Magistrate, Arni 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, everyday 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.



WEB COPY



CrI.O.P.No.12528 of 2024

[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 Kerala [(2005)AIR SCW 5560].

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

29.05.2024

msv

To

1. The Judicial Magistrate, Arni
2. The Central Prison, Vellore
3. The Inspector of Police,
Arni Town Police Station,
Thiruvannamalai District.
4. The Public Prosecutor, High Court of Madras.

S. SOUNTHAR, J.

msv



WEB COPY



Crl.O.P.No.12528 of 2024

Crl.O.P.No.12528 of 2024

29.05.2024