



CRL OP(MD). No.3566 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 06/03/2024

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
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1. Kandhasamy,
2. Chinnadurai,
3. Jeganathan,
4. Suriya,
5. Nagaraj,
6. Raja,
7. Ajith,
8. Kesavan,
9. Kaanaiah,

... Petitioners/ Accused Nos.3 TO 11

Vs

The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District.
Crime No. 68/2024.

... Respondent/ Complainant

For Petitioners : Mr.D.Rameshkumar, Advocate.

For Respondent : Mr.B.Nambiselvan, Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No. 68 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 25.02.2024 for the offence punishable under Sections 147, 294(b), 353, 332 and 506(i)

IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and



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Loss) Act, 1992, in Crime No.68 of 2024 on the file of the respondent Police, seek bail.

2.The case of the prosecution is that there was a wordy quarrel between the villagers and the respondent Police with regard to the temple festival and the villagers unlawfully assembled and assaulted the respondent Police and caused damage to the wind screen of a car. Hence, the complaint.

(*).3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners are ready to pay a sum of Rs.10,000/- jointly to the concerned Deputy Superintendent of Police, without prejudice to their defence before the trial Court, for having broken the wind screen of the car. He would further submit that the petitioners are in judicial custody from 25.02.2024. Hence, he prays for bail.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the investigation is yet to be completed.

5. Heard the learned counsel on either side.

6. Considering the facts and circumstances of the case and the period of incarceration suffered by the petitioners and the fact that no serious allegation has been made against the petitioners, this court is inclined to grant bail to the



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petitioners, subject to the following conditions:

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7. Accordingly, 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 No.2, Pudukkottai, 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) as per the undertaking given by the petitioners, the petitioners are directed to pay a sum of Rs.10,000/- (Rupees Ten Thousand Only) jointly to the concerned Deputy Superintendent of Police for having broken the wind screen of the car, without prejudice to their rights and contentions before the trial Court and produce the receipt/acknowledgment before the trial Court while executing the sureties;

(c) the petitioners are directed to appear before the respondent police daily at 10.30 a.m., until further orders.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



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(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 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]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
06/03/2024

(*)Substituted as per order of this Hon'ble Court in CRL OP(MD).3566/2024 Dated 07/03/2024

/ TRUE COPY /

08/03/2024
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

SSB

TO

- 1 THE JUDICIAL MAGISTRATE NO.2
PUDUKKOTTAI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
- 3 THE OFFICER INCHARGE,
DISTRICT PRISON, PUDUKKOTTAI.



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4 THE INSPECTOR OF POLICE

THIRUGOKARNAM POLICE STATION, PUDUKKOTTAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:
THE DEPUTY SUPERINTENDENT OF POLICE,
PUDUKKOTTAI.

+1 CC TO MR.D.RAMESHKUMAR, ADVOCATE, SR-2979[I] Dated 08/03/2024

ORDER IN
CRL OP(MD) No.3566 of 2024
Date :06/03/2024

SS/SAR- /06/03/2024/6P/7C

RS/SAR- /08/03/2024/5P/8C

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