



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

Monday, the Second day of February Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.1655 of 2015

WEB COPY

ALAGA THEVAR

... PETITIONER/SOLE ACCUSED

Vs

STATE.REP.BY

THE INSPECTOR OF POLICE

PANAIYAPATTI POLICE STATION,

PUDUKKOTTAI DISTRICT

CR.NO.15/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.BAALASUNDHARAM Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

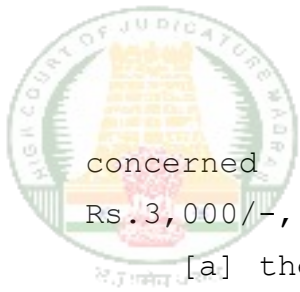
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 IPC r/w Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.15 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner cut a palmyrah tree situate on the river bank of Pancharan Kanmai and caused loss to the tune of Rs.3,000/-.

3. Considering the above, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirumayam, Pudukkottai District, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

<https://hcservices.courts.gov.in/cases> the petitioner shall pay a sum of Rs.3,000/- [Rupees Three Thousand only] to the Gandhi Museum, Madurai and the learned Judicial Magistrate



concerned shall accept surety only on production of receipt of Rs.3,000/-, as stated above.

[a] the petitioner shall report before the respondent police as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner 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]**.

The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
02/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUMAYAM, PUDUKKOTTAI DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, PUDUKKOTTAI.
- 3 THE INSPECTOR OF POLICE
PANAIYAPATTI POLICE STATION, PUDUKKOTTAI DISTRICT.
- 4 THE AUTHORISED OFFICER, GANDHI MUSEUM, MADURAI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.BAALASUNDHARAM Advocate SR.No.1655

ORDER
IN
CRL OP(MD) No.1655 of 2015
Date :02/02/2015

PA/04.02.15/2P/7C