



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

Wednesday, the Eleventh day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.2109 of 2015

SENDU

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE

TENKASI POLICE STATION, TIRUNELVELI DISTRICT

CRIME NO.18/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.UDHAYA LAW ASSOCIATES Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 13.01.2015 for the offence punishable under Section 4 of TNPPDL Act in Crime No.18 of 2015 on the file of the respondent police, seeks bail.

2. It is the case of the prosecution that this petitioner set fire to the motorcycle of the *defacto* complainant and caused damages. The damage is estimated to Rs.40,000/- (Rupees Forty Thousand only). This petitioner was arrested on 13.01.2015.

3. It is represented by the learned Government Advocate (Criminal side) that there is no previous case against this petitioner.

4. Under such circumstances, this Court is inclined to grant bail to this petitioner. Accordingly, bail is granted to the petitioner on condition that he shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) before the learned Judicial Magistrate, Tirunelveli, to the credit of Crime No.18 of 2015, without prejudice to his defence in the criminal prosecution and on such deposit, the learned Magistrate is directed to issue notice to the *defacto* complainant and disburse the amount as *ex-gratia*

compensation, without obtaining security or surety from the *defacto* complainant.

[a] On such deposit, the petitioner shall be released on bail on his 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, Tirunelveli and on further condition that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter, as and when required for interrogation.

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

[d] the petitioner shall not abscond 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 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]**.

[f] The Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
11/02/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE, TIRUNELVELI
 - 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
 - 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4.THE INSPECTOR OF POLICE
TENKASI POLICE STATION, TIRUNELVELI DISTRICT
 - 5.THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI
- +1. CC to M/S.UDHAYA LAW ASSOCIATES Advocate SR.No.6160
RL/7 C- 16/2/2015

ORDER
IN
CRL OP(MD) No.2109 of 2015
Date :11/02/2015