



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

Wednesday, the Twenty Fifth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21399 of 2015

CHITHIRAI

... PETITIONER/3rd ACCUSED

Vs

THE STATE OF TAMILNADU REPRESENTED BY
THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CR NO.493 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : Mr.R.BALAKRISHNAN Advocate

For Respondent : Mr.K.ANBARASAN Govt. Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.3, in Crime No.493 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) of the Indian Penal Code and also under Section 3 of Tamil Nadu Public Properties Damage and Loss Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused have damaged the motor and wire of the defacto complainant.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to previous enmity, the defacto complainant has given a false complaint against the petitioner. He has further submitted that the petitioner has given a complaint against the defacto complainant and therefore, this is a case and counter. In this case, A1 and A2 were arrested and enlarged on bail by the trial Court in Cr.M.P.No.3476 of 2015 on 16.11.2015.

4. The learned Government Advocate (Criminal Side) has admitted that the petitioner has damaged the motor and wire of the defacto complainant.

5. Considering the facts and circumstances of the case and also considering the fact that accused Nos.1 and 2 were already arrested and enlarged on bail by the trial Court, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial



Magistrate, Sathankulam and 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
25/11/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHANKULAM.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
SATHANKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.R.BALAKRISHNAN Advocate SR.No.67399

ORDER
IN
CRL OP(MD) No.21399 of 2015
Date :25/11/2015

NS/NGM-SS/SAR II/26.11.2015 : 2P/6C