



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

Wednesday, the Eighteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21670 of 2015

V. MUTHURAJ

... PETITIONER/ ACCUSED NO.2

Vs

THE STATE THROUGH
THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATION,
MADURAI.
(CR NO.696/2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S BABU RAJENDRAN Advocate

For Respondent : Mrs.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner/A-2, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 447 and 506(ii) IPC and Section 3(1) of TNPPDL Act in Crime No.696 of 2015 on the file of the respondent police, seeks anticipatory bail.

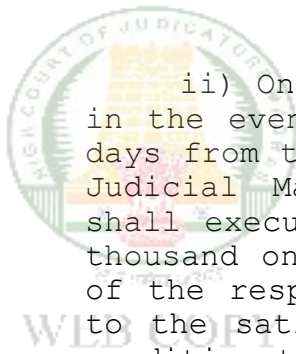
2. The case of the prosecution is that the petitioner herein has destroyed the fence, which was there, to the extent of 43 cents and that there was a criminal trespass and damage to the tune of Rs.40,000/-.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence and he has been falsely implicated in this case. Hence, he seeks anticipatory bail.

4. Heard the learned Government Advocate (Criminal Side), who would submit that the petitioner damaged the fence and caused damage to the tune of Rs.40,000/-.

5. Considering the nature of the offence, I am inclined to grant anticipatory bail to the petitioner with certain stringent conditions:

<https://hcservices.courts.gov.in/hcservices/> Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees five thousand only) to the credit of Cr.No.696 of 2015, before the learned Judicial Magistrate, No.VI, Madurai



ii) On such deposit, 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, No.VI, Madurai 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:

[a] the petitioner shall report before the respondent police daily at 10:30 a.m for a period of two weeks and thereafter, 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].

sd/-
18/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE
THIRUNAGAR POLICE STATON, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRS HIGH COURT, MADURAI.

+1. CC to M/S BABU RAJENDRAN Advocate SR.No.65978

ORDER
IN
CRL OP(MD) No.21670 of 2015
Date :18/11/2015