



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

Monday, the Seventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP (MD) No.23087 of 2015

MUTHUSAMY

... PETITIONER/ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE

RAJAPALAYAM NORTH POLICE STATION,

(CRIME NO.729 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.MAHENDRAN Advocate

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

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

ORDER : The Court Made the following order :-

The petitioner/Accused, who was arrested and remanded to judicial custody on 23.11.2015 for the alleged offences punishable under Sections 379, 434 of IPC r/w Section 3 of TNPPDL Act, 1957, in Crime No.729 of 2015 on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that the defacto complainant is the Village Administrative Officer. On 23.11.2015 he inspected the property and he found that somebody has removed the boundary stone and damaged the Tank bund and stolen the mud sand by some persons, who are running the bricks works without permission and damaged the Tank bund.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The petitioner did not remove the sand from the Tank bund. The petitioner is in judicial custody from 23.11.2015.

4.The learned Additional Public Prosecutor (Crl.side) submitted that the petitioner and others damaged the Tank bund and stolen the mud sand from the Tank bund and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that in the the complaint, the defacto complainant has stated that by some un-known persons had stolen the



mud sand and damaged the Tank bund and the petitioner is in judicial custody from 23.11.2015, this Court is inclined to grant bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail 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 Judicial Magistrate, Rajapalayam and on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders.

sd/-
07/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAJAPALAYAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUTHUR
- 3 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER INCHARGE, SUB JAIL, VIRUDHUNAGAR

+1. CC to M/S K.MAHENDRAN Advocate SR.No.69903

ORDER
IN
CRL OP(MD) No.23087 of 2015
Date :07/12/2015

AM

AA/SKS-RR/SAR-I/08.12.2015/2p-7c