



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

Tuesday, the Seventeenth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.2835 of 2015

JEGANATHAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.21/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.T.RAMESH RAJA Advocate

For Respondent : MR.P.KANNITHEVAN, 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 an alleged offence punishable under Section 3 of TNPPDL Act in Crime No.21 of 2015 on the file of the respondent police, seeks anticipatory bail.

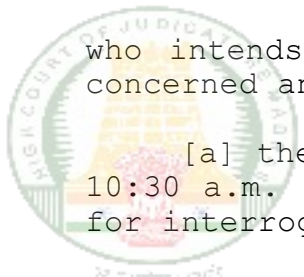
2. It is the case of the prosecution that the petitioner has caused damage to the water pipe in the panchayat tank.

3. The learned Government Advocate submits that the petitioner is B.E. graduate and there is no previous case against him and he has caused damage to the tune of Rs.3,000/-.

4. The learned counsel for the petitioner undertakes to pay Rs.3,000/- (Rupees three thousand only) to the Vellalanvilai Panchayat and produce the receipt before the Magistrate.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

6. Considering the facts and circumstances of the case, 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, Sathankulam, on condition that the petitioner shall produce receipt for a sum of Rs.3000/-, which shall be paid to the Vellalanvilai Panchayat without prejudice to the defence of the accused. The Vellalanvilai Panchayat is directed to accept the said amount without prejudice to the criminal case. 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]. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl.side) as to whether the petitioners are complying with the order or not.

sd/-
17/02/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE, SATHANKULAM.
 2. -DO- THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
 3. THE INSPECTOR OF POLICE
MEIGNANAPURAM POLICE STATION, THOOTHUKUDI.
 4. THE PRESIDENT, VELLALANVILAI PANCHAYAT,
TUTICORIN DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.P.T.RAMESH RAJA Advocate SR.No. 7274
- SR : 24.02.2015 : 2P/7C

ORDER
IN
CRL OP(MD) No.2835 of 2015
Date :17/02/2015