



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

Tuesday, the Twenty Fourth day of February Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3278 of 2015

1 ANTONY DARVINRAJ
2 ANTONY SURESH
3 PACKIYA SARATH

... PETITIONERS / ACCUSED 1,2 & 5

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE,
THARUVAIKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.22/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.V.MUTHUKAMATCHI, 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 :-

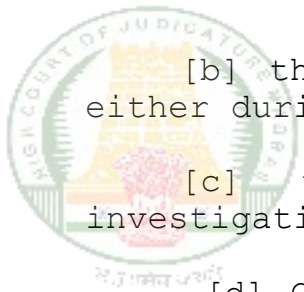
The petitioners, who were arrested and remanded to judicial custody on 08.02.2015 for the offence punishable under Sections 147 IPC and Section 3 of TNPPDL Act in Crime No.22 of 2015 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners along with others involved in rioting and damaged the property worth about Rs.20,000/-.

3. The learned Government Advocate (crl. Side) submits that the co-accused had been enlarged on bail by the trial Court in Cr.M.P.No.473 of 2015 vide order dated 23.02.2015. Under such circumstances, this Court is inclined to grant bail to the petitioners, but with conditions.

4. Accordingly, the petitioners are ordered to be released on bail on their 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, Vilathikulam, Thoothukudi District, and on further condition that:

<https://hcservices.courts.gov.in/hcsepet/> The petitioners shall report before the respondent police everyday daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.



[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

[e] The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether these petitioners are complying with the condition or not.

sd/-

24/02/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VILATHIKULAM.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
 - 3 THE SUB INSPECTOR OF POLICE, THARUVAIKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
 - 4 THE OFFICER IN-CHARGE, JUVENILE PRISON, NANGUNERI, TIRUNELVELI DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.V.MUTHUKAMATCHI, Advocate SR.No.8412.

ORDER IN
CRL OP(MD) No.3278 of 2015
Date :24/02/2015

msm 25.02.2015 p2/7c