



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5491 of 2015

BALAMURUGAN

... PETITIONER / ACCUSED NO.2

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
TIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CRIME NO.286/2014.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU, 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 :-

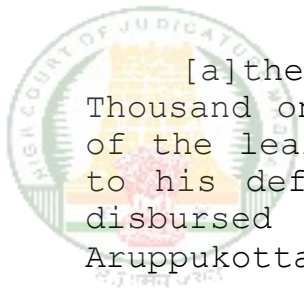
The petitioner, who was arrested and remanded to judicial custody on 07.03.2015, for the offence punishable under Sections 336, 353 IPC and Section 4 of the Tamil Nadu Property (Prevention of Damage And Loss) Act, 1992, in Crime No.286 of 2014, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that this petitioner, along with others, had pelted stones on a Government Bus on 06.10.2014 and damaged loss of the bus to a tune of Rs.6,000/-. Earlier, by order dated 26.11.2014, in Crl.OP[MD].No.21357 of 2014, this Court had granted Anticipatory Bail to the petitioner herein on condition that he shall deposit a sum of Rs.2,000/- to the credit of Crime No.286 of 2014, on the file of the learned Judicial Magistrate, Aruppukottai. Since the petitioner did not comply with the earlier order, the anticipatory bail granted to him had lapsed and this petitioner was arrested on 07.03.2015.

3. Mr.G.Marimuthu, learned counsel for the petitioner, submitted that the petitioner is ready and willing to deposit a sum of Rs.2,000/-, as ordered by this Court, on 26.11.2014, made in Crl.OP[MD].No.21357 of 2014.

4. The said submission made by the learned counsel for the petitioner is recorded.

5. In such circumstances, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on his 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, Aruppukottai and on further condition that:



[a]the petitioner shall deposit a sum of Rs.2,000/- [Rupees Two Thousand only], to the credit of Crime NO.286 of 2014, on the file of the learned Judicial Magistrate, Aruppukottai, without prejudice to his defence in the criminal case and the said amount shall be disbursed to the Tamil Nadu State Transport Corporation, Aruppukottai Branch, as *ex gratia* compensation.

WEB COPY [b]the petitioner shall report before the respondent police daily at 06.30 PM for a period of two weeks and thereafter as and when required for interrogation.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]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]**.

[f]The Inspector of Police concerned is directed to send compliance report to the office of the learned Additional Public Prosecutor whether the petitioner is complying with the order or not.

sd/-
30/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE, TIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE OFFICER IN-CHARGE, SUB-JAIL, ARUPPUKOTTAI.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.G.MARIMUTHU, Advocate SR.No.15613.

ORDER IN
CRL OP(MD) No.5491 of 2015
Date :30/03/2015

msm 30.03.2015 p2/7c