

Crl.O.P.No.7171 of 2016**K.KALYANASUNDARAM.J.**

The petitioner, who is arrayed as A11, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148 and 506(i) of IPC r/w Section 3 of TNPPDL Act, in Crime No.43 of 2016, on the file of the respondent police and hence seeks anticipatory bail.

2. The case of the prosecution is that due to a dispute between two community, the petitioner and others are alleged to have damaged the defacto complainant's petty shop worth about Rs.5,000/-, resulting in the registration of the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case and hence, he prays for enlargement on anticipatory bail.

4. The learned Government Advocate (crl.side) would submit that the petitioner and other accused have damaged the defacto complainant's petty shop worth about Rs.5,000/- and the investigation is considerably over and however, he prays for dismissal of this application.

5. Considering the rival submissions made by both sides and also considering the fact that the investigation is considerably over and even though the petitioners were not arrested, neither they interfered with the investigation nor absconded from the jurisdiction, I am inclined to grant anticipatory bail to the petitioner, with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Pallipattu, and on each of them executing a separate 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 Magistrate concerned and on further condition that the petitioner shall deposit a sum of Rs.2,500/- to the credit of Crime No.43 of 2016 before the learned Judicial Magistrate, Pallipattu, within a period of two weeks from the date on which, the copy of the order is made ready and on further condition that the petitioner shall report before the Court concerned daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

31.03.2016

sms/gv

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