



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

Monday, the Twenty Seventh day of June Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.10352 of 2016

WEB COPY

THANGARAJ

... PETITIONER/ACCUSED No.3

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

PALANI TALUK POLICE STATION,

PALANI TALUK, DINDIGUL DISTRICT.

(CR.NO. 253 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S V.KARUNA Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.3, who was arrested and remanded to judicial custody on 02.06.2016 for the alleged offences punishable under Sections 147, 148, 353, 506(i) IPC and Section 3(1) of TNPPDL Act, in Crime No.253 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that on 02.06.2016 at about 03.00p.m., while the de facto complainant, who is the S.I. of Police was on bandobust duty at Pappampatti Kaliyamman Temple festival, the petitioner along with 11 other accused unlawfully assembled with deadly weapons, pelted stones against the de facto complainant and police people and caused damages to the two wheeler to the tune of Rs.350/- and they restrained the police officials from doing their official duty. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. No such occurrence tookplace on that day. The petitioner is in judicial custody from 02.06.2016.

4.The learned Government Advocate(Crl.side) submitted that totally there are 12 accused and the petitioner along with the other accused prevented the police officials from doing their official duty and attacked them and pelted stones and caused damage to the vehicle and other accused are yet to be arrested.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 02.06.2016, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) 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 learned Judicial Magistrate, Palani, Dindigul District.

- (ii) the petitioner shall report before the respondent police daily at 10.00 a.m. until further orders.
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioner shall not abscond either during investigation or trial.
- (v) 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]**.

6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the condition or not.

sd/-
27/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE
PALANI, DINDIGUL DISTRICT.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, PALANI.
- 4 THE INSPECTOR OF POLICE
PALANI TALUK POLICE STATION,
PALANI TALUK, DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S V.KARUNA Advocate SR.No.33168

ORDER
IN
CRL OP(MD) No.10352 of 2016
Date :27/06/2016