



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

Friday, the Twenty Second day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.12539 of 2016

MURUGAN

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE
CENTRAL POLICE STATION,
TUTICORIN.
[CRIME NO. 528 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S M.S.JEYAKARATHIK 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 sole accused, who was arrested and remanded to judicial custody on 27.06.2016 for the alleged offences punishable under Sections 294(b), 353 of IPC and Section 3 of TNPPDL Act, in Crime No.528 of 2016, on the file of the respondent police and hence, seeks bail.

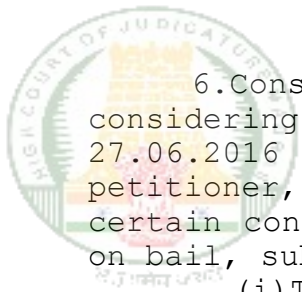
2.The case of the prosecution is that the defacto complainant is the conductor of the bus. On 27.06.2016, the petitioner travelled in the bus and due to wordy quarrel, the petitioner threw away the ticket issuing machine and caused damage to the machine worth about Rs.20,000/-. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that on the date of occurrence, the defacto complainant failed to give the balance amount, due to that, a wordy quarrel arose. The petitioner is innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and prays for granting of bail.

4.The learned counsel for the petitioner submitted that petitioner is ready and willing to deposit a sum of Rs.20,000/-.

5.The learned Government Advocate(Crl.side) submitted that due to wordy quarrel between the petitioner and the defacto complainant, the petitioner damaged the ticket issuing machine worth about Rs.20,000/-.

<https://hcrs.courts.gov.in/cases/>



6. Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 27.06.2016 and also considering the submission made on the side of the petitioner, 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 deposit a sum of Rs.20,000/- each (Rupees Twenty Thousand only) to the credit of Crime No.528 of 2016, before the learned Judicial Magistrate No.II, Thoothukudi on receipt of the same
- (ii) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thoothukudi.
- (iii) the petitioner shall report before the respondent police daily at 10.00 a.m., until further orders.
- (iv) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (v) the petitioner shall not abscond either during investigation or trial.
- (vi) 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 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].

7. 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 petitioner is complying with the condition or not.

sd/-
22/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.
- 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE OFFICER INCHARGE, SUB-JAIL, TUTICORIN.
- 4 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE SUB INSPECTOR OF POLICE, CENTRAL POLICE STATION, TUTICORIN.

+1. CC to M/S M.S.JEYAKARATHIK Advocate SR.No.38875.

ORDER
IN
CRL OP(MD) No.12539 of 2016
Date :22/07/2016