



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

Monday, the First day of August Two Thousand Sixteen
PRESENT

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

CRL OP (MD) No.13415 of 2016

WEB COPY

ARULMURUGAN

... PETITIONER/ACCUSED No.24

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
REDDIYARCHATHIRAM POLICE STATION,
DINDIGUL DISTRICT,
CR NO. 121 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.MAHENDRAN 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.24, who was arrested and remanded to judicial custody on 19.07.2016 for the alleged offences punishable under Sections 143, 148, 341, 188, 353, 324, 506(ii) IPC read with Sections 3(1) and 5 of TNPPDL Act, in Crime No.121 of 2016, on the file of the respondent police and hence, seeks bail.

2.The case of the prosecution is that during Temple festival, at the time of procession on carrying the idol of the Temple in the main road, dispute arose and the accused persons damaged the property belonging to the police officials and caused injury to the police persons. 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. The petitioner is in judicial custody from 19.07.2016.

4.The learned Government Advocate (Crl. side) submitted that during Temple festival, dispute arose and the petitioner along with other accused pelted stones on the police officials and caused damage to the property of the police officials and she has further submitted that co-accused were granted anticipatory bail by this Court in Crl.O.P(MD) No.10151 of 2016, dated 24.06.2016 and the investigation is pending.

5.Considering the facts and circumstances of the case and also considering the fact that the petitioner is in judicial custody from 19.07.2016, 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
<https://hcservices.ecourts.gov.in/hcservices/> RS.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of



the learned Judicial Magistrate, Oddanchatram, Dindigul District.

(ii) the petitioner shall report before the respondent police daily twice at 10.30 a.m., and 05.00 p.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/-

01/08/2016

/ TRUE COPY /

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

TO

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

+1. CC to M/S P.MAHENDRAN Advocate SR.No.40861

ORDER

IN

CRL OP(MD) No.13415 of 2016

Date : 01/08/2016