



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

Tuesday, the Second day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13581 of 2016

1 JOTHI RAM
2 ALEXSANDAR
3 ARUN KUMAR

... PETITIONERS / ACCUSED 1 to 3

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION, TRICHY DISTRICT.
CR.NO.228/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S C.DEEPAK Advocate

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

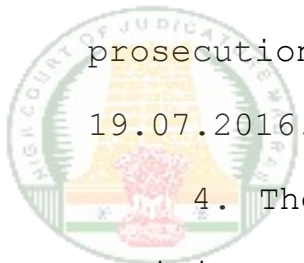
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as accused Nos.1 to 3, who were arrested and remanded to judicial custody on 19.07.2016 for the alleged offence punishable under Sections 448, 323, 294(b), 506(ii) r/w. Section 3 of TNPPDL Act in Crime No.228 of 2016, on the file of the respondent police and hence, seek bail.

2. The case of the prosecution is that the petitioners had threatened the de-facto complainant to execute the sale deed in favour of them and the same was refused by the de-facto complainant. Hence, the petitioners have damaged the household articles of the de-facto complainant.

3. The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the



prosecution. The petitioners are in judicial custody from 19.07.2016.

4. The learned counsel for the petitioners submitted that the petitioners are willing to deposit a sum of Rs.5,000/- to the credit of Crime No.228 of 2016 before the learned Judicial Magistrate No.II, Tiruchirapalli.

5. The learned Government Advocate (Crl.side) submitted that the petitioners had threatened the de-facto complainant and damaged the household articles of the de-facto complainant.

6. Considering the facts and circumstances of the case and also considering the fact that the petitioners are willing to deposit a sum of Rs.5,000/-, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Tiruchirapalli.
- (ii) the petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.228 of 2016 before the learned Judicial Magistrate No.II, Tiruchirapalli.
- (iii) the petitioners shall report before the respondent police daily at 10.00 a.m. until further orders.
- (iv) the petitioners shall not tamper with evidence or witness either during investigation or trial.

- (v) the petitioners shall not abscond either during investigation or trial.



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(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 petitioners 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, as to whether the petitioners are complying with the condition or not.

sd/-
02/08/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
TIRUCHIRAPALLI
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY
- 3 THE INSPECTOR OF POLICE
K.K.NAGAR POLICE STATION, TRICHY DISTRICT.
- 4 THE SUPERINTENDENT
CENTRAL PRISON, TRICHIRAPALLI
- 5 THE THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S C.DEEPAK Advocate SR.No.41322
AKV
JAM/AAL/MPA/SAR I/3P-7C

ORDER
IN
CRL OP(MD) No.13581 of 2016
Date :02/08/2016