



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

Wednesday, the Third day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.13742 of 2016

MURUGANANTHAM

... PETITIONER / SOLE ACCUSED

Vs

STATE REP.BY THE
THE INSPECTOR OF POLICE
KULASEKARAPATTINAM POLICE STATION,
TUTICORIN DISTRICT.
CRIME NO. 88 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.J.KARTHICK Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

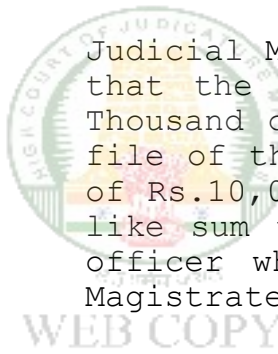
The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 341, 294(b) of IPC and Section 3 of TNPPDL Act in Crime No.88 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that due to previous motive the petitioner damaged the Lorry belonging to the defacto complainant by throwing a stone in the wind shield mirror of the Tanker Lorry and caused damage worth Rs.7,000/-. On complaint, a case has been registered against the petitioner.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case. He further submitted that the petitioner is willing to deposit a sum of Rs.7,000/- and prays for granting anticipatory bail in favour of the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the damage caused is worth Rs.7,000/- and the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioner is willing to deposit a sum of Rs.7,000/-, I am inclined to grant anticipatory bail to the petitioner. The petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned



Judicial Magistrate, Thiruchendur, Tuticorin District and on condition that the petitioner shall deposit a sum of Rs.7,000/- (Rupees Seven Thousand only) to the credit of above said Crime No.88 of 2016 on the file of the concerned Magistrate and he 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.00 am until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 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].

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/-
03/08/2016

/ TRUE COPY /

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

TRP
TO

- 1 THE JUDICIAL MAGISTRATE, THIRUCHENDUR, TUTICORIN DISTRICT
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT
- 3 THE INSPECTOR OF POLICE, KULASEKARAPATTINAM POLICE STATION,
TUTICORIN DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S R.J.KARTHICK Advocate SR.No.41800

GJM/SK/SKN/SAR-I/08.08.2016/2P-6C

ORDER
IN
CRL OP (MD) No.13742 of 2016
Date : 03/08/2016