



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

Thursday, the Eleventh day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14517 of 2016

LENIN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
PULIYARAI POLICE STATION, SHENKOTTAI TALUK,
TIRUNELVELI DISTRICT
(CRIME NO.83 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.INDRDACHITHU Advocate
For Respondent : M/S.P.KANNITEHVAN,
Government Advocate (Crl. Side)

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

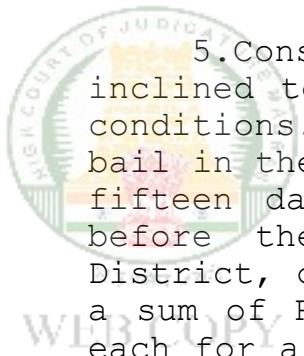
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as sole accused, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 286 and 337 IPC. r/w Section 9(b)(1)(a) of Explosive Act, in Crime No.83 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 23.05.2016, while the petitioner preparing the country made bomb, the petitioner got injury, when the same was enquired, the petitioner confessed that he made the country bombs for the purpose of threatening the wild pigs, which often causing damage to the petitioner's field. On complaint case has been registered for the above said offences.

3.The case of the petitioner is that neither any wild animals nor any human beings sustained injury and the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail.

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that at the time of manufacturing the country bombs, the petitioner got injury. On receiving information the Village Administrative Officer, Karaikudi Panchayat had lodged a complaint against the petitioner. On enquiry, he confessed that he made the country bombs for the purpose of threatening the wild pigs, which often causing damage to the petitioner's field. Based on the complaint, a case has been registered for the offences stated above.



5. Considering the nature of the allegation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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, Senkottai, Tirunelveli District, on condition that 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 a.m. for two weeks only.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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 conditions or not.

sd/-

11/08/2016

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SENKOTTAI, TIRUNELVELI DISTRICT

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

4. THE INSPECTOR OF POLICE,
PULIYARAI POLICE STATION, SHENKOTTAI TALUK,
TIRUNELVELI DISTRICT

+1. CC to M/S.T.INDRDACHITHU Advocate SR.No.43761
RL/6C/2P/SS3/SARIII/17/8/2016

ORDER

IN

CRL OP(MD) No.14517 of 2016

Date : 11/08/2016