



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

Thursday, the Third day of November Two Thousand Sixteen
PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.20933 of 2016

WEB COPY

NAGARAJ

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY ,
THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
DINDIGUL TOWN,
CRIME NO.594/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KARTHIKEYA VENKITACHALAPATHY, Advocate
For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(B) and 435 IPC and Section 3(1)(V) of TNPPDL Act in Crime No.594 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

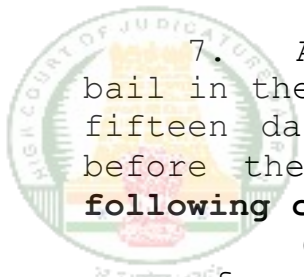
2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that the petitioner along with other accused set fire to the car belonging to the defacto complainant and caused damage to the tune of Rs.65,000/-, which resulted in registration of the case.

4. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case and he is in no way connected with the alleged offence.

5. Learned Government Advocate (Crl. Side) submitted that on the basis of the complaint lodged by one Dharma, the President of Hindu Makkal Katchi, case has been registered and the investigation of the case is pending and that there is no previous case as against the petitioner.

6. Considering the facts and circumstances of the case and also taking note of the fact that there is no bad antecedent alleged against the petitioner, this Court is of the view that custodial interrogation of the petitioner is not necessary. **Therefore, this Court is inclined to grant anticipatory bail to the petitioner.**



7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.III, Dindigul, subject to the following conditions:**

(i) 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 the police officer who intends to arrest or to the satisfaction of the Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders for interrogation;

(iii) the petitioner shall deposit **Rs.10,000/-** to the credit of **Crime No.594 of 2016** before the learned **Judicial Magistrate No.III, Dindigul** within a period of **two weeks** from the date of receipt of a copy of this order;

(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 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 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]**.

sd/-

03/11/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.
- 2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE INSPECTOR OF POLICE
SOUTH POLICE STATION, DINDIGUL TOWN.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.KARTHIKEYA- Advocate SR.No.65489

AR

CSL/PV/SAR-I/14.11.2016: 2P/6C

ORDER

IN

CRL OP(MD) No.20933 of 2016

Date :03/11/2016