



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

Monday, the Fourteenth day of November Two Thousand Sixteen

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PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP (MD) No.21339 of 2016

PRAKASH

... PETITIONER/2nd ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PASUPATHYPALAYAM POLICE STATION,
KARUR DISTRICT.

CR. NO. 588 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PONKARTHIKEYAN Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who was arrested and remanded to judicial custody on 16.09.2016 for the alleged offences punishable under Sections 147, 148, 324, 506(ii) and 435 IPC r/w Section 3(1) of TNPPDL Act in Crime No.588 of 2016 on the file of the respondent police, seeks bail.

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

3.The case of the prosecution is that on 12.09.2016, the petitioner along with other accused damaged the lorry to the tune of Rs.25,000/-, on account of Cauveri water issue.

4.Learned counsel for the petitioner submitted that the petitioner is innocent and a false case has been foisted against him.

5.Learned Government Advocate (crl.side) submitted that the petitioner along with other accused caused damage to the lorry.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Taking note of the fact that the petitioner is in judicial



custody from 16.09.2016, this Court is inclined to grant bail to the petitioner. 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 Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the Judicial Magistrate No.I, Karur;

(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner is directed to deposit a sum of Rs.25,000/- to the credit of Crime No.588 of 2016 on the file of the Judicial Magistrate No.I, Karur, within a period of 15 days, after the date of his release;

(iv) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(v) the petitioner shall not abscond either during investigation or trial;

(vi) 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/-

14/11/2016

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KARUR.
 - 2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
 - 3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 4 THE OFFICER INCHARGE, SUB JAIL, KARUR.
 - 5 THE INSPECTOR OF POLICE, PASUPATHYPALAYAM POLICE STATION,
KARUR DISTRICT
- +1. CC to M/S.R.PONKARTHIKEYAN Advocate SR.No.68356.

ORDER IN

CRL OP(MD) No.21339 of 2016

Date :14/11/2016