



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

Tuesday, the Fifteenth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.21468 of 2016

1 SATHYA @ SATHYAMOORTHY
2 RAJKUMAR

... PETITIONERS/ACCUSED 1 & 3

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION,
DINDIGUL

CRIME NO. 594 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.KARTIKEYA VENKITACHALAPATHY, 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 petitioners / accused Nos.1 and 3, who were arrested on 09.10.2016 for the offences punishable under Sections 435 @ 120(B), 435 of I.P.C., and Section 3(1)(v) of TNPPDL Act in Crime No.594 of 2016 on the file of the respondent police, seek bail.

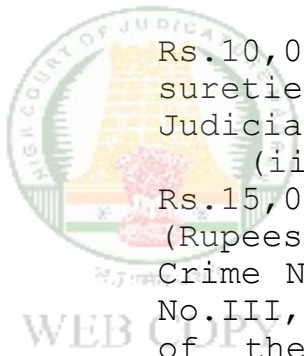
2. The case of the prosecution is that on 16.09.2016 at about 3.15 hours, the petitioners along with the other accused set fire to a Qualis car belonging to the de-facto complainant.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and based on the confession statement of A2, they have been implicated in this case. He would further submit that the petitioners are in judicial custody from 09.10.2016.

4. The learned Government Advocate (Crl.side) would submit that this Court has granted anticipatory bail to A4 on 03.11.2016 and these petitioners have been arrested on 09.10.2016 and they are in custody from that date.

5. Taking note of the overall circumstances of the case and that due to political rivalry, the incident said to have taken place on 16.09.2016, this Court is inclined to grant bail to the petitioners. 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, each for a like sum to the satisfaction of the Judicial Magistrate No.III, Dindigul,

(ii) The petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only), Rs.10,000/- (Rupees Ten Thousand only) respectively to the credit of Crime No.594 of 2016 on the file of the Judicial Magistrate No.III, Dindigul within a period of one week after the date of their release, failing which, it is open to the prosecution to file an application for cancellation of bail.

(iii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(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/-

15/11/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
- 3 THE INSPECTOR OF POLICE,
TOWN SOUTH POLICE STATION, DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE OFFICER IN CHARGE, DISTRICT PRISON, DINDIGUL.

+1. CC to M/S.M.KARTIKEYA VENKITACHALAPATHY, Advocate SR.No.68868
AKV
CSL/SS-2/SAR-III/17.11.2016: 2P/7C

ORDER

IN

CRL OP(MD) No.21468 of 2016

Date :15/11/2016