

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Seventh day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice R. SURESH KUMAR

CRIMINAL ORIGINAL PETITION No.20772 of 2017

1 KRISHNAMOORTHY,
2 PARTHASARATHY,
3 SUBINSRI,

[PETITIONERS]

Vs

THE INSPECTOR OF POLICE,
S.10 PALLIKARANAI POLICE STATION,
ST.THOMAS MOUNT,
CHENNAI.
CR.NO.2261 OF 2017.

[RESPONDENT]

For Petitioner : M/S.A.R.C.SUNDARESAN Senior Counsel for Advocate

For Respondent : MR.R.SEKAR, Govt. Advocate (Crl. Side)

PETITION FOR BAIL 439 Cr.P.C.

ORDER : The Court Made the following order :-

This petition has been filed to enlarge the petitioners on bail, as they were arrested on 18.09.2017, for the alleged offences punishable under Sections 447, 451, 341, 294(b) 324, 336, 427 of 506(ii) of IPC, Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act 2002 and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992 in crime No.2261 of 2017 on the file of the respondent police.

2. Mr.AR.L.Sundaresan, learned senior counsel appearing for the petitioners would state that the defacto complainant, is the tenant, who is having enmity with the house owner, who is none other than the cousin of the petitioner and therefore, in order to wriggle out from the issue between house owner and tenant, the defacto complainant had given the complaint before the respondent police falsely, implicating all these petitioners as if they overpowered her .

3. The learned senior counsel appearing for the petitioner would also state that even according to the prosecution, the alleged damage caused to the vehicles is about Rs.30,000/-.

Though the petitioners are not responsible for any such damage, they are ready and willing to deposit the said amount to the lower Court and whatever stringent condition imposed by this Court, they would abide by the same.

4. Mr.R.Sekar, learned Government Advocate (Crl. Side) appearing for the respondent would state that based on the complaint given by the defacto complainant, these petitioners have been arrested and investigation is on. If at all, this Court consider the grant of bail to these petitioners, some stringent condition, which includes directing the petitioner to deposit the amount equivalent to the damages caused to the vehicles as quantified by the respondent police, may be imposed.

5. I have considered the said submissions made by both sides and in view of the facts and circumstances of the case, I am inclined to pass the following orders that the petitioners shall be enlarged on bail, on the following conditions :-

(i) Each petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Alandur;

(ii) The petitioners shall deposit a sum of Rs.30,000/- to the credit of Lower Court and

(iii) The petitioners shall report before the said Court on every working day, at 10.30.am., until further orders.

-sd/-
27/09/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL CHENNAI

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE INSPECTOR OF POLICE,
S.10 PALLIKARANAI POLICE STATION,
ST.THOMAS MOUNT,
CHENNAI.

+1 CC to M/S.P.PANDIYARAJ Advocate on payment of necessary
charges SR.NO. 18664

CRL OP.20772/2017

Date :27/09/2017

TA-27/09/2017