



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

Friday, the Eighteenth day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10889 of 2017

JEYANDRAN

... PETITIONER /SOLE ACCUSED
Vs

THE STATE REP.BY

THE SUB-INSPECTOR OF POLICE

ETTAYAPURAM POLICE STATION, THOOTHUKUDI DISTRICT

(CRIME NO.297/17)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.C.HEROLD SINGH Advocate

For Respondent : Mr.A.Ramar, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner/sole accused, who was arrested on 01.08.2017 for the offences punishable under Sections 294(b), 506(ii) of IPC and Section 4 of TNPHW Act and Section 3 of TNPPDL Act in Crime No.297 of 2017 on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the petitioner damaged the public water tap and when the same was questioned by the de facto complainant and his wife, the petitioner informed them that he did not get water from the said tap for his house and that he damaged the same and also abused them in filthy language. It is also the prosecution case that the petitioner has taken photos of women, who are going for 100 days work.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that earlier there was some political enmity between the petitioner and the de facto complainant and due to the same, the present complaint has been foisted against the petitioner. He also submitted that the de facto complainant along with his men have trespassed into the house of the petitioner and threatened him with dire consequences and hence, the petitioner went to the respondent police for giving complaint against the de facto complainant. However, without registering a case against the de facto complainant, the present complaint has



been registered against the petitioner. The learned counsel for the petitioner voluntarily undertakes to deposit a sum of Rs.1,000/- to the credit of Crime.No.297 of 2017 without prejudice to his contentions.

4.The learned Additional Public Prosecutor submitted that the petitioner is the sole accused in this case and investigation is still pending.

5.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioner, 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.II, Kovilpatty.

ii)the petitioner si directed to appear before the Judicial Magistrate No.II, Kovilpatti daily at 10.30 a.m., until further orders.

iii)the petitioner shall not tamper with the 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/-
18/08/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, KOVILPATTY

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT

3 THE OFFICERS INCHARGE
SUB JAIL, KOVILPATTI



4 THE SUB-INSPECTOR OF POLICE
ETTAYAPURAM POLICE STATION, THOOTHUKUDI DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

WEB COPY

+1. CC to M/S.S.C.HEROLD SINGH Advocate SR.No.28929

SM:RR-BS:SAR 2:21.8.2017:3P/7C

ORDER

IN

CRL OP (MD) No.10889 of 2017

Date :18/08/2017