



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

Wednesday, the Eleventh day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13749 of 2017

K.SURESH

... PETITIONER / ACCUSED NO.6

Vs

THE STATE THROUGH,
THE INSPECTOR OF POLICE
THIRUVERUMPUR POLICE STATION,
TRICHY DISTRICT
CRIME NO. 343/2017.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.DEVASENA for Mr.T.VADIVELAN Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

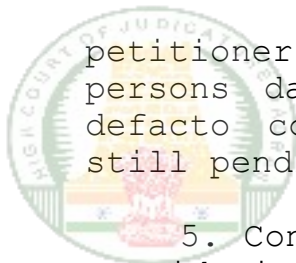
The petitioner/accused No.6, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 109, 294(b), 441 and 506(ii) of IPC, and Section 4 of TNPPDL Act, in Crime No.343 of 2017, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 09.01.2017, the petitioner along with other accused persons entered into the place of the defacto complainant and damaged the compound wall constructed by the defacto complainant. Aggrieved by the same, the defacto complainant lodged a complaint against the petitioner and other accused persons. The specific allegation against the petitioner is that at his instigation, the other accused damaged the compound wall. On Complaint, case has been registered for the above said offences.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and prays for anticipatory bail.

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

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the overtact against this



petitioner is that only on his instigation, the other accused persons damaged the compound wall, which was constructed by the defacto complainant. He further submitted that investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl. Side), I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall deposit a sum of Rs.3,000/- (Rupees three thousand only) to the credit of Crime No.343 of 2017 before the learned Judicial Magistrate No.VI, Trichy, without prejudice to his defence before the trial Court within a period of two weeks from the date of receipt of copy of this order. After such deposit, the trial Court shall accept the sureties to be furnished by the petitioner;

(ii) the petitioner shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(v) the petitioner shall not commit any offence while on bail;

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
11/10/2017

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.VI, TRICHY

2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE
TRICHY

3 THE INSPECTOR OF POLICE
THIRUVERUMPUR POLICE STATION,
TRICHY DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP (MD) No.13749 of 2017

Date :11/10/2017

MV:RR-BS:SAR3:23/10/2017/2P/6C