



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

Friday, the Twenty Seventh day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.14491 of 2017

PASUMPON,

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.475 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.G.MARIMUTHU Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Cr1. Side)

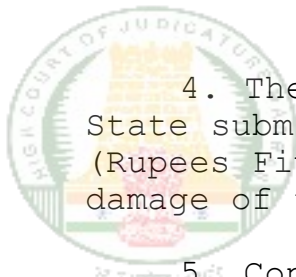
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353, 506(ii) of I.P.C. r/w Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1994, in Crime No.475 of 2017, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a driver of the TNSTC Bus bearing Registration No.TN 67 N-0473. On 17.10.2017, there was a wordy quarrel between the accused and defacto complainant in respect of taking the bus in reverse direction. It is alleged that the petitioner herein directed the driver of the bus to take the bus in reverse. However, the driver of the defacto complainant refused to do so. The accused person attacked the defacto complainant by using filthy language in this process. The accused person damaged the windows worth about Rs.7,000/- , thereby the defact complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the A2 and A3 are juveniles. The Accused No.4 was arrested and released on bail by the Principal Sessions Court. He would further submit that the petitioner only questioned the illegal activity of the defacto complainant, for which he was implicated as an accused in the above said crime.



4. The learned Government Advocate (Crl.side) appearing for the State submitted that he is ready to deposit the amount of Rs.5,000/- (Rupees Five Thousand Only) to compensate the loss caused due to the damage of the window of the bus.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), and also fact that the petitioner is ready to deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.475 of 2017 before the learned Judicial Magistrate Court No.II, Virudhunagar. 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before learned Judicial Magistrate Court No.II, Virudhunagar, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties 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 report before the respondent police as and when required;

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

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

(iv) On breach of any of the aforesaid conditions, the petition for anticipatory bail stands dismissed;

(v) On such deposit being made by the petitioner, the lower Court disburse the deposit amount to the TamilNadu State Transport Corporation.

sd/-
27/10/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.II, VIRUDHUNAGAR DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE,
SOOLAKARAI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.M.JOTHI BASU Advocate SR.No.33352

ORDER

IN

CRL OP(MD) No.14491 of 2017

Date :27/10/2017

SMA/SM/SAR-1/06.11.2017:3P/6C