



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

Thursday, the Thirtieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16491 of 2017

SAKKANAN

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION,
VIRUDHUNAGAR DISTRICT.
IN (CRIME NO.1106 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.T.SUGADEV for M/S.M.JEGADEESH PANDIAN Advocate

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

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

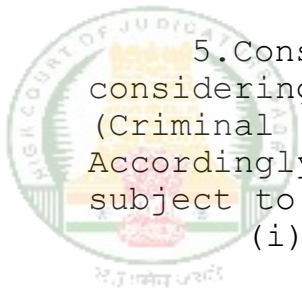
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 18.11.2017 by the respondent police for the offences punishable under Section 435 of I.P.C. and Section 3 of TNPPDL Act, 1992, in Crime No.1106 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that on 06.11.2017, the defacto complainant parked his auto bearing Registration No.TN-67-AW-6334 in front of his house and on the next day morning, the neighbour informed the defacto complainant that his auto was set fire by an unknown person. Thereafter, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offences as alleged by the prosecution. He would further submit that on suspicion, the petitioner was falsely implicated in this case and the petitioner is ready to abide any condition imposed by this Court.

4.The learned Government Advocate (Criminal side) appearing for the State submitted that after completing the investigation, the law enforcing agency identified the unknown person who set fire on the defacto complainant's auto.



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5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal Side), I am 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 deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of Crime No.1106 of 2017 before the learned Judicial Magistrate, Sivakasi, without prejudice to his defence before the trial Court. After such deposit, the trial Court shall accept the sureties furnished by the petitioner and thereafter the said amount shall be disbursed to the defacto complainant.
- (ii) 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 learned Judicial Magistrate, Sivakasi;
- (iii) the petitioner shall report before the respondent police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;
- (iv) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (v) the petitioner shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;
- (vi) the petitioner shall not abscond either during investigation or trial;
- (vii) the petitioner shall not commit any offence while on bail;
- (viii) 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 bail granted stands cancelled automatically.

sd/-

30/11/2017

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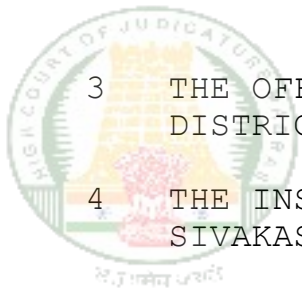
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, SIVAKASI.

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

2 TO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



3 THE OFFICER IN CHARGE,
DISTRICT PRISON, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1. CC to M/S.M.JEGADEESH PANDIAN Advocate SR.No.35417

ORDER

IN

CRL OP (MD) No.16491 of 2017

Date :30/11/2017

MKV-PM-PN-SAR 1/30.11.2017/3P-7C