



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

Monday, the Eleventh day of December Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17022 of 2017

1 VELMURUGAN
2 MARIAPPAN
3 PARASAKTHI

... PETITIONERS / ACCUSED 1 to 3

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE,
SENDHAMARAM POLICE STATION,
TIRUNELVELI DISTRICT ,
CRIME NO.242/2017

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.R.J.KARTHICK Advocate

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

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

ORDER : The Court Made the following order :-

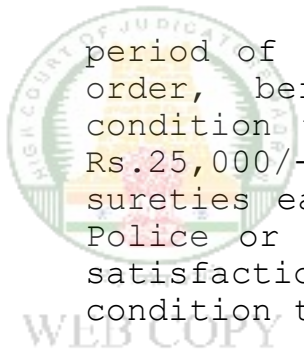
The petitioners/Accused Nos.1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 294(b), 353, 384 and 506(i) of IPC and Section 3 of TNPPDL Act, in Crime No.242 of 2017, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that on 06.12.2017, when the petitioners digging a pit nearby the electricity pole for the purpose of constructing toilet and due to heavy rain, the electricity pole belongs to the defacto complainant was fell down on the road, thereby, the Assistant Engineer gave a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners digging a pit for the purpose of constructing toilet. Unfortunately, due to heavy rain the electricity pole fell down. Subsequently, the same was restored.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that the electricity pole damaged by the petitioners was restored. He will further submits that costs may be imposed against the petitioners for such damages.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are 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 the learned Judicial Magistrate, Sengottai, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each 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 petitioners shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) before the Lower Court in Cr.No.242 of 2017. On such deposit, the Lower Court is directed to accept the sureties and disburse the amount deposited by the petitioners to the defacto complainant within a period of two weeks;
- (ii) the petitioners shall report before the investigation officer, as and when required for interrogation ;
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not commit any offence while on bail;
- (v) 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/-

11/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, SENGOTTAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI

3 THE INSPECTOR OF POLICE,
SENDHAMARAM POLICE STATION, TIRUNELVELI DISTRICT ,

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

+1. CC to MR.R.J.KARTHICK Advocate SR.No.35951

JAM/15.12.17/CM/ SAR 1/ 2P-6C

ORDER IN

CRL OP(MD) No.17022 of 2017

Date :11/12/2017