



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

Wednesday, the Thirteenth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.17174 of 2017

PRAKASH

...PETITIONER /ACCUSED NO.5

Vs

STATE REP.BY

THE INSPECTOR OF POLICE,

AYYAMPETTAI POLICE STATION, THANJAVUR DISTRICT.

CRIME NO.304/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MAHESWARAN, Advocate

For Respondent : M/S.M.MURUGAN, Govt. Advocate (Crl. Side) for
M/S.K.ANBARASAN, Government Advocate(Crl.Side)

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

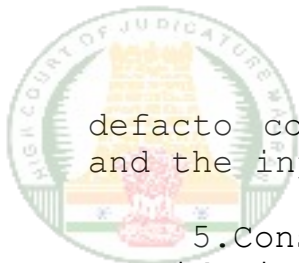
ORDER : The Court Made the following order :-

The petitioner/accused no.5, who was arrested and remanded to judicial custody on 26.11.2017, for the offences punishable under Sections 147,148 ,294(b), 324, 323, 506(ii) I.P.C. r/w 3(1) of PPDL Act., in Crime No.304 of 2017, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity between the petitioner/A5 and the defacto complainant with regard to sand theft committed by the petitioner herein, in order to wreck vengeance, the petitioner and other accused persons threatened the defacto complainant in front of his house and they also created some law and order problem, at that time, the accused persons damaged the defacto complainant's vehicle and attacked the defacto complainant and others, who were trying to rescue the problem and caused injuries.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. However, he ready to comply any condition imposed by this Court.

4.The learned Government Advocate (Criminal side) appearing for the state submitted the petitioner is not only attacked the defacto complainant and others but also damaged the street lights and



defacto complainant's two wheeler, which was worth about 25,000/- and the injured persons were discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), this Court is inclined to grant bail to the petitioner. The petitioner is ordered to be released on bail, subject to the following certain conditions.

6. 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 No.III, Thanjavur.

(I) The petitioner is directed to deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the credit of Crime No.304 of 2017 before the learned Judicial Magistrate No.III, Thanjavur without prejudice to his defence and contentions before the trial Court and thereafter, the learned Judicial Magistrate shall accept the sureties furnished by the petitioner.

(ii) the petitioner shall report before the respondent police, daily at 10.30 a.m., until further orders.

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

(iii) the petitioner shall not abscond 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 bail granted stands cancelled automatically.

sd/-
13/12/2017

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO.III, THANJAVUR.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBANKONAM.

3. THE SUPERINTENDENT, CENTRAL JAIL, TRICHY.

4. THE INSPECTOR OF POLICE,
AYYAMPETTAI POLICE STATION, THANJAVUR DISTRICT.

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

+1. CC to M/S.R.MAHESWARAN Advocate SR.No.36088

ORDER

IN

CRL OP (MD) No.17174 of 2017

Date :13/12/2017

MS/CM-VR/SAR.2/13.12.2017/3P.7C