



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

Friday, the Twenty Fourth day of February Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.1844 of 2017

1 VELMURUGAN
2 ARUL
3 THANDAPANI

... PETITIONER/ACCUSED NO.1 TO 3

Vs

STATE THROUGH,
THE INSPECTOR OF POLICE,
ASTINPATTI POLICE STATION,
MADURAI.

CRIME NO.54 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.S.ASWINI Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

For Intervenor : M/S.J.JEYAKUMARAN, Advocate

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos. 1 to 3, in Crime No.54 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 294(b), 427, 506(ii) IPC and Section 3(i) of TNPPDL Act and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate(Crl. Side) for the respondent/State and the learned counsel appearing for the intervenor/defacto complainant.

3.The learned Government Advocate(Crl. Side) on instructions submitted that totally there are four accused in this case and the petitioners herein are arrayed as A-1 to A3 respectively and A4 in this case is still absconding.

4. The case of the prosecution is that the petitioners herein were in drunken mood and they abused the defacto complainant in filthy language and also damaged the articles worth about Rs.1 lakh



found in the shop of the defacto complainant and the shops of the sister and uncle of the defacto complainant respectively as mentioned in the alteration report filed by the respondent police in this case.

5. The learned counsel appearing for the intervenor states that the second accused is having previous cases and all the accused joined together and damaged the two fridges and other articles found in the shop of the defacto complainant and articles found in other shops, which were run by the close relatives in different places.

6. The learned counsel for the petitioners would submit that the petitioner are ready and willing to deposit Rs.25,000/- each to the credit of Crime No.54 of 2017 without prejudice their contention and also to show their bonafide in this case. Hence, in view of the voluntary offer and undertaking given by the learned counsel for the petitioners/accused, the petitioners are ordered to deposit a sum of Rs.25,000/- (Rupees twenty five thousand only) before the learned Judicial Magistrate, Thirumangalam to the credit of Crime No.54 of 2017.

7. It is admitted that anticipatory bail application moved by the petitioner before Sessions Court was dismissed.

8. Considering the facts and circumstances of the case and also the undertaking given by the learned counsel for the petitioners to deposit a sum of Rs.25,000/- each to the credit of Crime NO.54 of 2017 before the learned Judicial Magistrate, Tirumangalam, this Court is 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 before the learned Judicial Magistrate, Tirumangalam, and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

9. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
24/02/2017

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE,
ASTINPATTI POLICE STATION, MADURAI.

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

+1. CC to M/S.K.S.ASWINI, Advocate SR.No.10693.

+1. CC to M/S.J.JEYAKUMARAN, Advocate SR.No.10709.

cm

CSL/RR/SAR-III/02.03.2017 : 3P/7C

ORDER

IN

CRL OP(MD) No.1844 of 2017

Date :24/02/2017