



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

Monday, the Ninth day of January Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.254 of 2017

1 SURJITH
2 JEGADEESAN
3 PAULRAJ

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
PALANI TOWN POLICE STATION,
PALANI, DINDIGUL DISTRICT,
CR NO. 880 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MAHENDRAN Advocate

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

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

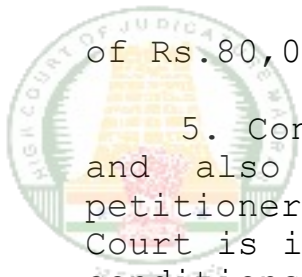
ORDER : The Court Made the following order :-

The petitioners, who were arrested and remanded to judicial custody on 26.12.2016, for the offences punishable under Sections 147, 148, 448, 294(b), 427 and 506(ii) of IPC., and Sections 3(1) of TNPPDL Act, in Crime No.880 of 2016, on the file of the respondent police, seek bail.

2. The case of the prosecution is that due to wordy quarrel in respect of parking of the vehicle in front of the shop of the defacto complainant, the petitioners along with other accused unlawfully assembled with deadly weapons and trespassed into the shop of the defacto complainant and caused damaged to CCTV Camera, Lorry and the oil cane and also threatened him with dire consequences.

3. The learned counsel for the petitioners states that the petitioners are innocent and they have not committed any offence, as alleged by the prosecution.

4. The learned Government Advocate (Crl.side) appearing for the respondent states that the petitioners along with other accused unlawfully assembled with deadly weapons and trespassed into the shop of the defacto complainant and caused damaged to CCTV Camera, Lorry and the oil cane and caused loss to the tune



of Rs.80,000/- and also threatened him with dire consequences.

5. Considering the above facts and circumstances of the case and also considering the overt act attributed against the petitioners and the loss caused to the defacto complainant, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to following conditions:-

(a) The petitioners shall execute a separate 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 Judicial Magistrate, Palani, Dindigul District.

(b) the petitioners shall deposit a sum of Rs.80,000/- to the credit of Crime No.880 of 2016, before the learned Judicial Magistrate, Palani, Dindigul District.

(c) the petitioners shall report before the respondent police daily at 10.00 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law, as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself, as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

sd/-
09/01/2017

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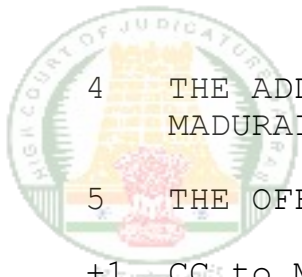
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MPK
TO

1 THE JUDICIAL MAGISTRATE, PALANI

2 THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>
3 THE INSPECTOR OF POLICE, PALANI TOWN POLICE STATION,
PALANI, DINDIGUL DISTRICT,



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

5 THE OFFICER INCHARGE, SUB JAIL, PALANI

+1. CC to M/S.P.MAHENDRAN Advocate SR.No.1443

GJM/SS3/SAR-I-9.1.17-3P-7C

ORDER

IN

CRL OP(MD) No.254 of 2017

Date :09/01/2017