

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2018

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.14785 of 2018

1.Prabakaran
2.Sivaprakash

... Petitioners/Accused

Vs.

State by
Station House Officer
Gingee Police Station
Villupuram District.

... Respondent/Complainant

Criminal Original Petition is filed under Section 482 of Cr.P.C to modify the condition that the petitioners are ordered to be released on bail on their depositing a sum of Rs.36,000/- each as cash security before the Lower Court as well as on their executing a bond for Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate, Gingee, which have been imposed on them by the Vacation Sessions Villupuram Sessions Division, Villupuram District in Crl.MP.No.3480 of 2018 by order dated 30.05.2018.

For Petitioner : Mr.S.Sasikumar

For Respondent : Mrs.Kritika Kamal.P

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to modify the condition dated 30.05.2018 imposed by the Vacation Sessions Judge, Villupuram in Crl.MP.No.3480 of 2018.

2. One Guru, a prominent leader of Pattali Makkal Katchi died. While so, it is alleged that these petitioners damaged four transport buses bearing Registration Nos. TN-25-N-0063, TN-23-N-2390, TN-25-N-0301 and TN-25-N-0160. The damage caused to all the buses estimated as Rs.18,00,000/-. These petitioners were arrested by the police for the offence under Section 3 of the TNPPDL Act. They were released on bail by the Vacation Sessions Judge, Villupuram District in Crl.MP.No.3480 of 2018 on 30.05.2018 with the following

conditions:

"The petitioners are ordered to be released on bail on their depositing a sum of Rs.36,000/- each as cash security before the lower Court as well as on their executing a bond for Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Gingee and on condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders."

3. The present petition has been filed by the petitioners to modify the aforesaid condition.

4. Heard Mr.S.Sasikumar, learned counsel for the petitioners, who submitted that the petitioners were arrested on 26.05.2018 and they are still in jail since they were not able to deposit Rs.36,000/- each.

5. Per contra, the learned Government Advocate submitted that for no reason at all the petitioners had caused extensive damage to the public transport buses because their party leader had died.

6. The TNPDDL Act envisages payment of compensation for causing damage. In this case, it is alleged that the petitioners have damaged the Public Transport Buses and therefore, the conditions imposed by the Vacation Sessions Judge cannot said to be totally illegal. However, taking into consideration the fact that the petitioners are incarcerated from 26.05.2018, this Court reduces the amount of Rs.36,000/- each to Rs.20,000/- each. The sum of Rs.20,000/- each shall be deposited at the TNSTC Depot, Villupuram and receipts shall be produced before the Judicial Magistrate, Gingee, at the time of furnishing sureties. Rest of the conditions imposed by the Vacation Sessions Judge, Villupuram shall remain the same.

With the above modification, this petition is ordered.

Sd/-
Assistant Registrar (CS III)
//True Copy//

Sub Assistant Registrar

mk

To

1.The Vacation Sessions Judge,
Villupuram.

2.The Judicial Magistrate,
Gingee.

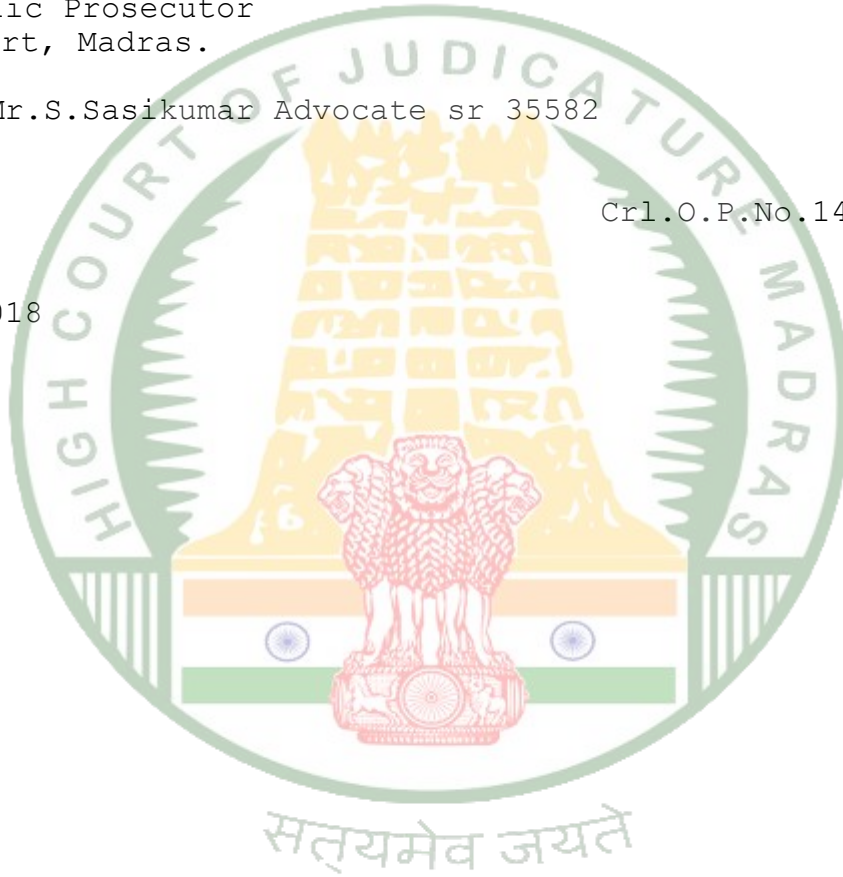
3.The Station House Officer
Gingee Police Station
Villupuram District.

4.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.S.Sasikumar Advocate sr 35582

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