



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

Friday, the Sixteenth day of February Two Thousand Eighteen

PRESENT

**The Hon`ble Mr.Justice R.PONGIAPPAN**

CRL OP(MD) No.2519 of 2018

SENTHIL KUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP.BY,  
THE INSPECTOR OF POLICE  
SIPCOT POLICE STATION, SIPCOT,  
TUTICORIN DISTRICT.  
IN CR.NO. 31/2018

... RESPONDENT / COMPLAINANT

For Petitioner :MR.A.S.VAIGUNTHAN for M/S.G.THALAIMUTHARASU Advocate

For Respondent :MR.K.SUYAMBULINGA BHARATHI Govt. Advocate (Crl.Side)

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

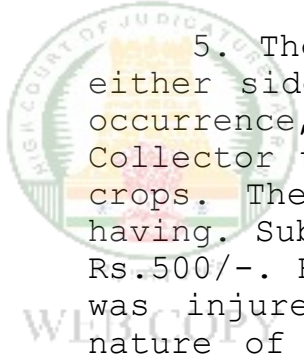
ORDER : The Court Made the following order :-

The petitioner/Sole Accused, who was arrested and remanded to judicial custody on 30.01.2018 for the alleged offences punishable under Sections 294(b), 353 and 506(ii) of IPC., r/w Section 3 of TNPPDL Act, in Crime No.31 of 2018, on the file of the respondent police, seeks bail.

2. The case of the prosecution is that when the Farmers grievances meeting was conducted by the District Collector, Thoothukudi, in the premises of the Collectorate, the petitioner along with other farmers demanded to release the Insurance amount of their damaged crops, due to which a wordy quarrel arose between the petitioner and the officials. Thereby, the petitioner damaged a Table worth about Rs.500/-. Hence, the case has been registered against the petitioner for the above said crime.

3.The learned counsel representing the petitioner submitted that the petitioner is an innocent person, he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of bail to the petitioner.

4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that nobody was injured during the time of occurrence. According to the prosecution, the investigation is in progress.



5. The submissions made by the learned counsels appearing for either side are considered. It is alleged that during the time of occurrence, the petitioner being an agriculturist asked the District Collector to release the insurance amount pertaining to the damaged crops. Thereby, the petitioner herein demanded the right, he is having. Subsequent to the said act, he damaged the Table worth about Rs.500/-. Further, as per the submission of the prosecution, nobody was injured during the time of occurrence. So, considering the nature of offence committed by the petitioner, further custodial interrogation may not be necessary for completing the investigation. Apart from that the petitioner is in judicial custody from 30.01.2018. Hence, this Court is inclined to grant bail to the petitioner with some conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

- (i) 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, Tuticorin;
- (ii) the petitioner shall report before the respondent police, daily at 10.00 a.m., for a period of two weeks;
- (iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;
- (iv) the petitioner shall not commit any offence while on bail;
- (v) the petitioner shall not abscond either during investigation or trial;
- (vi) on breach of any of the aforesaid conditions, the bail granted to the petitioner shall stand automatically cancelled and the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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/-  
16/02/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.III, TUTICORIN.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
TUTICORIN DISTRICT.

3 THE OFFICER IN CHARGE,  
DISTRICT JAIL, TUTICORIN DISTRICT.

4 THE INSPECTOR OF POLICE  
SIPCOT POLICE STATION, SIPCOT,  
TUTICORIN DISTRICT.

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

+1. CC to M/S.G.THALAIMUTHARASU Advocate SR.No.2631

ORDER

IN

CRL OP(MD) No.2519 of 2018

Date :16/02/2018

MKV-RR-SAR 3/16.2.2018/3P-7C