



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

Wednesday, the Twenty Eighth day of March Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.3809 of 2018

1 LAKSHMANAN
2 RAJA
3 KARTHIKEYAN
4 SARAVANAN

... PETITIONERS / ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO. 106/2018)

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.A.KARTHIK KUMAR, Advocate

For Respondent : Mr.A.ROBINSON, ovt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehending arrest at the hands of the respondent Police for the offence punishable under Sections 147, 148, 323, 379 and 506(ii) IPC and Section 3 of TNPPDL Act, 1992 in Crime No.106 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to political motive, the petitioners are said to have damaged the car belonging to the defacto complainant, worth about Rs.3,00,000/-. Thus, on complaint, a case has been registered against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated in this case, they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners. He further submitted that the petitioner nos. 2 and 4 were already arrested and remanded to judicial custody and the petitioner nos. 1 and 3 are ready to deposit of a sum of Rs.40,000/-.



4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the investigation is under progress.

5. The submissions made by the learned counsel appearing on either side are considered. Initially, the case has been registered for the offence under Sections 147, 148, 323, 506(ii), 379 IPC and Section 3 of TNPPDL Act. Subsequent to that, during the time of investigation the offence under Section 379 IPC has been deleted. As of now, except 506(ii) IPC and Section 3 of TNPPDL Act all other offences are bailable in nature. During the time of occurrence, the petitioners caused damage to the car to the tune of Rs.3,00,000/-, for which, the petitioner Nos. 1 and 3 are ready to deposit a sum of Rs.40,000/- each. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner nos. 1 and 3.

6. Accordingly, the petitioner nos. 1 and 3 are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Thirunelveli, on condition that petitioner nos. 1 and 3 shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) The petitioner nos. 1 and 3 shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) each to the credit of Crime No.106 of 2018, on the file of the the learned Judicial Magistrate No.I, Thirunelveli, without prejudice their defence before the Trial Court.

(ii) the petitioner nos. 1 and 3 shall report before the respondent police daily at 10.00 a.m for a period of three weeks and thereafter as and when required for interrogation.

(iii) the petitioner nos. 1 and 3 shall not tamper with evidence or witness either during investigation or trial.

(iv) the petitioner nos. 1 and 3 shall not abscond either during investigation or trial.

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioners shall stand automatically cancelled and 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

<https://hservices.ecourts.gov.in/hservices/>
State of Kerala [down by the Hon'ble Supreme Court in P.K.Shaji vs. (2005)AIR SCW 5560].



7. In view of the endorsement made by the learned counsel appearing for the petitioners, this Criminal Original Petition is dismissed as withdrawn as against the petitioner nos. 2 and 4 concerned.

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/ TRUE COPY /

sd/-
28/03/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,
TIRUNELVELI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

TRP
JAM/06/04/2018/ PMI / SAR 4/ 3P-5C

ORDER
IN
CRL OP(MD) No.3809 of 2018
Date :28/03/2018