



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

Tuesday, the Thirtieth day of January Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.760 of 2018

A.AMALRAJ

... PETITIONER / ACCUSED  
RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY  
THE INSPECTOR OF POLICE  
TOWN SOUTH POLICE STATION,  
DINDIGUL.  
CRIME NO.658/2017

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.K.MANIKANDAN Advocate

For Respondent : MR.A.ROBINSAON Government Advocate ( Crl. Side)

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

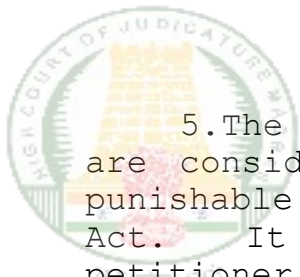
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 448, 295 IPC r/w Section 3(1) of TNPPDL Act in Crime No.658 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused have damaged the statue of Anthonyiar Temple. Hence, the present case has been registered.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the petitioner herein is implicated as accused on the basis of the confession given by A1 and the investigation is still pending.



5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences punishable under Sections 448, 295 IPC r/w Section 3(1) of TNPPDL Act. It is alleged that during the time of occurrence, the petitioner along with 5 other accused damaged the statue of Anthonyar Temple. As per the case of the prosecution, the petitioner was implicated in this case based on the confession given by A1. Further, considering the facts and circumstances of the case, custodial interrogation may not be necessary for completing the investigation.

6.Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Dindigul, on condition that 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 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 shall report before the respondent Police daily at 10.00 a.m. until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioner shall not abscond either during investigation or trial.

(iv) On breach of any of the aforesaid conditions, the anticipatory 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 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/-  
30/01/2018

/ TRUE COPY /

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



gns  
TO

- 1 THE JUDICIAL MAGISTRATE NO.III, DINDIGUL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE  
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE  
TOWN SOUTH POLICE STATION, DINDIGUL.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

GJM/CM/VR/SAR-4-5.2.18-3P-5C

ORDER  
IN  
CRL OP(MD) No.760 of 2018  
Date :30/01/2018