



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

Friday, the Twentieth day of April Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.6483 of 2018

THAMOTHARAN

... PETITIONER / ACCUSED No.2

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
AMBASAMUTHIRAM POLICE STATION,
TIRUNELVELI DISTRICT,
CR NO. 157/2018.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.SATHYA CHIDAMBARAM Advocate

For Respondent : Mr.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as the accused No.2. He was arrested and remanded to judicial custody on 02.04.2018 for the offences punishable under Sections 294(b), 506(ii) IPC and Section 3 of TNPPDL Act in Crime No.157 of 2018, on the file of the respondent police. He seeks bail.

2.Due to some wordy quarrel, the petitioner abused the de facto complainant in filthy language and also damaged the motor cycle to the tune of Rs.10,000/-. Therefore the petitioner is directed to deposit a sum of Rs.3,000/- to the credit of Crime No.157 of 2018 before the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District and it is open to the de facto complainant to withdraw the said amount.

3.The learned counsel for the petitioner submitted that the petitioner was falsely implicated in this case and he is in judicial custody from 02.04.2018. Hence, he prays for bail.

4.Taking note of the allegation made against the petitioner, this Court is inclined to enlarge the petitioner on bail subject to the condition that the petitioner shall deposit a sum of Rs.3,000/- to the credit of Crime No.157 of 2018 before the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District. 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.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Ambasamuthiram, Tirunelveli District.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not abscond.

(iv) on breach of any of the aforesaid conditions, the 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/-

20/04/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM, TIRUNELVELI DISTRICT
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI
- 3 THE INSPECTOR OF POLICE
AMBASAMUTHIRAM POLICE STATION, TIRUNELVELI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI

+1. CC to M/S.S.SATHYA CHIDAMBARAM Advocate SR.No.6702

GNS

JAM/20/04/2018/ CM-VR/GSR/2P-7C

ORDER

IN

CRL OP(MD) No.6483 of 2018

Date :20/04/2018