



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

Wednesday, the Ninth day of May Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) Nos.7692 and 7734 of 2018

1 RAVI
2 RAJAGOPAL
3 BALACHANDRAN
4 SENTHILKUMAR

... PETITIONER / ACCUSED Nos. 3 TO 6
IN CRL OP(MD)No.7692/18

1.BALAMURUGAN
2. MANIKANDAN

... PETITIONERS / ACCUSED Nos.1 to 2
IN CRL OP(MD)No.7734/18

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.
(CR.NO.208/2018)

... RESPONDENT / COMPLAINANT
IN BOTH THE PETITIONS

For Petitioners : Mr.R.VENKATESAN Advocate
IN BOTH THE PETITIONS

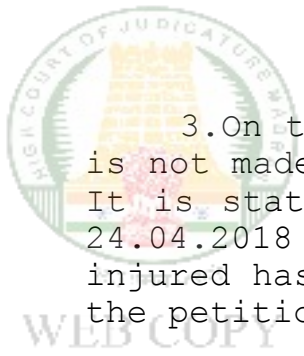
For Respondent : Mr.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners / accused, who were arrested and remanded to judicial custody on 23.04.2018 and 24.04.2018 for the offences punishable under Sections 147, 148, 294(b), 323, 427, 379, 506(i) of IPC and Sec. 3 of TNPPDL Act , in Crime No.208 of 2018, on the file of the respondent police ,seek bail.

2.The allegation against the petitioners is that the petitioners along with the other accused, due to previous motive caused damage to the grocery shop of the defacto complainant, worth about Rs.1,50,000/- and that the petitioners and others committed theft of Rs.9,750/- from the shop and criminally intimidated the



3. On the side of the petitioners, it is stated that TNPPDL Act is not made out in this case as the property is a private property. It is stated that the accused were remanded on 23.04.2018 and on 24.04.2018 and still are in custody. He further stated that the injured has been discharged from the hospital and hence, prayed that the petitioners to be released on bail.

4. On the side of the respondent, it is stated that the totally there are 11 accused involved in the occurrence and with previous motive, the accused caused damage to the properties in the grocery shop to the tune of Rs.1,50,000/- and a cash of Rs.9,750/- has been stolen. It is further stated that the injured has been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering that the injured were discharged from the hospital and that the petitioners were in judicial custody from 23.04.2018 and 24.04.2018 respectively, this Court is inclined to grant bail to the petitioners. Accordingly, **the petitioners are ordered to be released on bail** subject to the following conditions:

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate Court, No.III, Dindigul

(ii) the petitioners are directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial; and

(v) on breach of any of the aforesaid conditions, the 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 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/-
09/05/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO.III
DINDIGUL

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL

3 THE INSPECTOR OF POLICE,
SHANARPATTI POLICE STATION,
DINDIGUL DISTRICT.

4 THE OFFICER INCHARGE
SUB JAIL, DINDIGUL

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

+2. CC to M/S.RIGHT LAW ASSOCIATES Advocate SR.Nos.8232,8233

AAV/MSA

JAM/10/05/2018/ PMI/GSR/ 3P-8C

ORDER

IN

CRL OP(MD) Nos.7692 and 7734 of 2018

Date :09/05/2018