



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

Thursday, the Thirteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22065 of 2018

MUHIPPUL ISLAM

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION,
TIRUNELVELI CITY.
(CRIME NO.372/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.MAHALAKSHMI Advocate

For Respondent : Mr.S.CHANDRASEKAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner was arrested and remanded to judicial custody since 25.11.2018 for the offence punishable under Section 4 of TNPPDL Act, in Crime No.372 of 2018, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is the Car driver of one Ansari. On 21.11.2018, the petitioner along with other accused set fired the Car, which was parked in front of the house of the defacto complainant and caused damages to the tune of Rs.2,00,000/-

3.The learned counsel for the petitioner submitted that the petitioner is an innocent. He has not committed any offence as alleged by the prosecution. Hence, he prayed for grant bail to the petitioner.

4.Heard the learned Additional Public Prosecutor for the respondent.

5.Considering the facts and circumstances of the case and also considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Accordingly, the petitioner is ordered to be released on bail



on his executing 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 Court No.V, Tirunelveli District and on further condition that:

[a] the petitioner shall report before respondent police daily at 10.30.am.

[b] the petitioner shall not abscond either during investigation or trial.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] On breach of any of the aforesaid conditions, 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]**.

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

13/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO-V, TIRUNELVELI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE INSPECTOR OF POLICE,
MELAPALAYAM POLICE STATION, TIRUNELVELI CITY.

4 THE SUPERINDENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

+1. CC to Mr.K.MAHALAKSHMI Advocate SR.No.100183
PS/VR-MMS/SAR-1/14.12.2018/2P/7C

ORDER

IN

CRL OP(MD) No.22065 of 2018

Date :13/12/2018