



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

Monday, the Seventeenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22242 of 2018

SUDALAI PANDI

... PETITIONER / SOLE ACCUSED

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION,
THOOTHUKUDI.

Crime No.331 of 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.PRABHU 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, who was arrested and remanded to judicial custody on 12.11.2018 for the offences punishable under Sections 294 (b), 435 and 506(ii) IPC and Section 4 of TNPPDL Act in Crime No.331 of 2018, on the file of the respondent police, seeks bail.

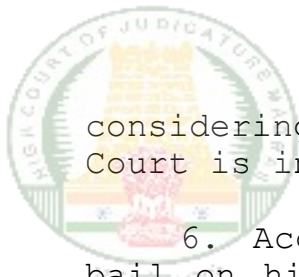
2. The case of the prosecution is that due to wordy quarrel between the petitioner and the defacto complainant, on the date of occurrence, the petitioner poured kerosene on the bike of the defacto complainant and set fire.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. The learned counsel for the petitioner further submitted that he has been falsely implicated in this case.

4. The learned Additional Public Prosecutor would submit that the in the alleged occurrence, the bike of the defacto complainant was totally damaged and the damage is worth about Rs.50,000/- .

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

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.

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 No.II, Kovilpatti, and on further condition that:

[a] the petitioner shall report before the respondent daily at 10.30 a.m., until further orders.

[b] the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the Credit of Crime No.331 of 2018 before the concerned Magistrate.

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

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

[e] 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].

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

sd/-
17/12/2018

/ TRUE COPY /

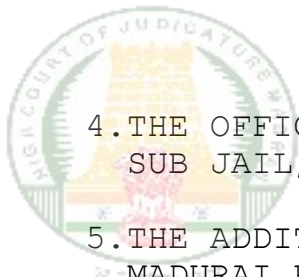
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO II, KOVILPATTI.

2. THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE
KAYATHAR POLICE STATION, THOOTHUKUDI.



4. THE OFFICER INCHARGE
SUB JAIL, KOVILPATTI.

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

WEB COPY

+1. CC to Mr.M.PRABHU Advocate SR.No.23415

ORDER
IN
CRL OP (MD) No.22242 of 2018
Date :17/12/2018

TK/PN.AC/SAR-4/17.12.2018/3P/7C