



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

Friday, the Third day of August Two Thousand and Eighteen

PRESENT

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

CRL OP(MD) No.13885 of 2018

SENTHILNATHAN

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.83 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.SANKARARAMASUBRAMANIAN, Advocate.

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner is in judicial custody from 10.07.2018 for the offences punishable under Sections 5 of Tamilnadu Public Property (Prevent of Damage and Loss Act, 1992) in Crime No.83 of 2018, on the file of the respondent police. He seeks bail.

2.The learned Government Advocate submits that Government Bus was damaged and the value of the damage is Rs.5,500/-. It appears that the petitioner is having two previous cases.

3.The learned counsel for the petitioner undertakes to deposit a sum of Rs.2,500/- to the credit of the Crime No.83 of 2018 before the jurisdictional Magistrate Court which can be withdrawn by the defacto complainant, notwithstanding the outcome of the prosecution. In other words it shall be a non refundable deposit.

4.Taking note of the facts and circumstances of this case, this Court is inclined to grant bail to the petitioner with certain conditions. 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, Nanguneri.



(ii) the petitioner shall deposit a sum of Rs.2,500/- into the Crime No.83 of 2018 before the jurisdictional Magistrate Court which can be withdrawn by the defacto complainant, notwithstanding the outcome of the prosecution. In other words it shall be a non refundable deposit.

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

(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/-
03/08/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
NANGUNERI.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3. THE SUPERINTENDENT
CENTRAL PRISON,
PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE,
MOONDRAIPAIPPU POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to Mr.A.SANKARARAMASUBRAMANIAN, Advocate, SR.No.14986.

ORDER
IN
CRL OP(MD) No.13885 of 2018
Date : 03/08/2018

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