



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

Thursday, the Twenty Fourth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.1017 of 2019

SINGARA VELU@SINGARAVELAN

... PETITIONER / 1st ACCUSED

Vs

THE STATE REPRESENTED BY ITS
THE INSPECTOR OF POLICE
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT
Crime No.6/2019

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.M.S.JEYAKARTHIK Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 353, 427 & 506(i) of IPC in Cr.No.6 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the Village Administrative Officer, Kalliyadiyenthal Village questioned the petitioner with regard to the dumping of river sand in his house and this led to a wordy quarrel between them, pursuant to which, the Village Administrative Officer's vehicle was pushed down using the tractor of the petitioner. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that it is a false case foisted against the petitioner and also submitted that he has not involved in the alleged occurrence.

4. The learned Additional Public Prosecutor would submit that the motor bike of the Village Administrative Officer was pushed using the tractor of the petitioner and no one was injured in this incident.



5. Taking into consideration the facts of the case and the submissions by learned counsels and that no one was injured, this Court inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate-II, Paramakudi on condition that the petitioner 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police as and when required for interrogation

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

[d] the petitioner shall not abscond 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 petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
24/01/2019

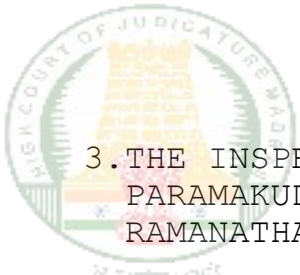
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO II,
PARAMAKUDI.

<https://hcservices.mca.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



3. THE INSPECTOR OF POLICE,
PARAMAKUDI TALUK POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.M.S.JEYAKARTHIK Advocate SR.No.1427

ORDER

IN

CRL OP (MD) No.1017 of 2019

Date :24/01/2019

TK/PN/SAR-4/01.02.2019/3P/6C