



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.1032 of 2019

1 D.ARASAN RAI
2 V.CHELLAIAH
3 V.CHANDRASEKARAN

... PETITIONERS/ ACCUSED 1 to 3

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
T.UTHIRAKOSAIMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
Crime No.3/2019

... RESPONDENT / COMPLAINANT

For Petitioners : Mr.D.ANBARASU 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 petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 435 of IPC and Section 3(1) of TNPPDL Act, seek anticipatory bail.

2. The case of the prosecution is that under the suspicion due to previous enmity between the de facto complainant and the petitioners, a case has been registered against the petitioners for setting out fire to the two wheeler of the de facto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel for the petitioners further submitted that they have been falsely implicated in this case.

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



5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate Court, No.I, Ramanathapuram, Ramanathapuram District on condition that 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 said Magistrate, on further condition that:

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

[b] the petitioners are directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) to the Credit of Crime No.3 of 2019 before the concerned Magistrate.

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

[d] the petitioners 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 petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
24/01/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO I,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.

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



3. THE INSPECTOR OF POLICE,
T.UTHIRAKOSAIMANGAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.D.ANBARASU Advocate SR.No.1362

ORDER

IN

CRL OP (MD) No.1032 of 2019

Date :24/01/2019

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