



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

Monday, the Twenty Second day of April Two Thousand Nineteen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

WEB COPY

CRL OP (MD) No.5734 of 2019

1 D.JOEL GOLDWIN @ JOYAL
2 RAJA NADESAN @ RAJA
3 MARIDURAI PATTU @ MARIDURAI

... PETITIONERS /
ACCUSED NOS.1 TO 3

- Vs -

STATE REP.BY
THE INSPECTOR OF POLICE,
ERAL POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.59 OF 2019

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.J.ASHOK, 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 are apprehending arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 506 (ii) of IPC and 3 of TNPPDL Act in Cr.No.59 of 2019, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity the petitioners damaged the wind panel, worth Rs.2,000/- Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However without prejudice to their rights and contentions the petitioners are willing to deposit Rs.2000/- to the credit in Crime number.

4.The learned Additional Public Prosecutor appearing for respondent would submit that if the petitioners are ready to deposit some amount, this Court may pass appropriate orders.

5.Considering the facts and circumstances and considering the fact that the petitioners have come forward to deposit some amount to the credit in crime number, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of



receipt of a copy of this order, before the learned Judicial Magistrate, Srivaikundam 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) The petitioners are directed to deposit Rs.10000/- to the credit in Crime No. 59 of 2019 before the learned Judicial Magistrate, Srivaikundam and thereafter sureties shall be accepted.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30a.m until further orders

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

22/04/2019

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SRIVAIKUNDAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE,
ERAL POLICE STATION, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.J.ASHOK Advocate SR.No.6967

ORDER IN

CRL OP(MD) No.5734 of 2019

Date : 22/04/2019