



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

Date : 18/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.8229 of 2019

1. V.Selvam
2. T.Andiyappan

... Petitioner Nos.1 and 2/
Accused Rank not known,A9

Vs

State through,
The Inspector of Police,
Puthanatham Police Station,
Crime.No.77/2019,
Trichy District.

... Respondent/Complainant

For Petitioner : MR.V.Kathirvelu, Senior Counsel for
M/s.K.Prabhu, Advocate.

For Respondent : Neelakandan,
Additiona Public Prosecutor

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

PRAYER :-

For bail in Cr.No.77 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

This petition has been filed by the petitioners/ Accused seeking bail for the alleged offence under Sections 147,285,435 of IPC and Section 3 of TNPPDL Act

2. Heard both sides

3. The learned counsel for the petitioners would submit that the petitioners along with others celebrated the Lok Sabha Elections results by exploding the crackers and the flame of the crackers fell on the nearby shop during the occurrence and caused loss to the shop worth Rs.35 lakhs. He further submitted that the petitioners were arrested and remanded to judicial custody on 24.05.2019 and from that date onwards they are in custody. He further submitted that the petitioners have not intentionally done so and no one sustained injuries in the scene of occurrence and therefore he prayed to grant bail to the petitioners.



4. The learned Additional Public Prosecutor would submit that petitioners along with others celebrated the Lok Sabha Elections results by exploding the crackers and the flame of the crackers fell on the nearby shop during the occurrence and caused loss to the shop worth Rs.35 lakhs. Hence he strongly opposed to grant bail to the petitioners. However he fairly conceded that no one sustained injuries in the scene of occurrence.

5. Taking into consideration the aforesaid submissions and also the fact that the petitioners are in custody for the past 22 days and also considering the fact that no one sustained injuries in the said occurrence, this Court is inclined to grant bail to the petitioners by imposing conditions:

[a] the petitioners are ordered to be released on bail on his executing 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 Judicial Magistrate, Manapparai.

[b] the petitioners shall report before the Respondent Police, daily at 10.30 A.M for a period of One Month and thereafter, as and when required for the interrogation.

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

[d] the petitioners shall not tamper with evidence or witness either during investigation or trail.

[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/-
18/06/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.

3. THE INSPECTOR OF POLICE
PUTHANATHAM POLICE STATION,
TRICHY DISTRICT

4. THE OFFICER INCHARGE,
SUB JAIL, MANAPARAI,
TRICHY DISTRICT

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

+1. CC to M/S.K.PRABHU Advocate SR.No.9957

ORDER

IN

CRL OP (MD) No.8229 of 2019

Date :18/06/2019

AAV

PK/PN/SAR-3/19.06.2019 : 3P/7C