



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

Tuesday, the Twenty Second day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.836 of 2019

KARUPPASAMY

... PETITIONER / ACCUSED No.1

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION,
KARUR DISTRICT
(CRIME NO.665/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.M.MURUGESAN Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI

Govt. Advocate (Crl. Side)

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 offences punishable under Sections 285, 336 and 379 of I.P.C, in Crime No.665 of 2018, seeks anticipatory bail.

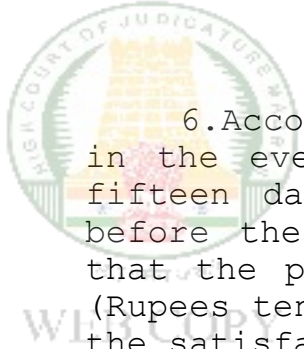
2. The case of the prosecution is that the petitioner is the lorry driver bearing Registration No.TN 57 BZ 6274. On 28.10.2018 at about 11.00 hours the driver of the lorry, who is the petitioner herein loaded the petrol with 12,000 litres at the lorry went to fill up the petrol bunk. Thereafter, the petitioner went to the Karur road way, at the time sudden the lorry was set fire. Due to which, the said lorry was destroyed by fire accident. Hence the complaint.

3.The learned counsel for the petitioner would submit that the lorry was destroyed, since flammable article inside and there was leakage in the said vehicle. Therefore, the petitioner has no intention to destroy the lorry and he would further submit that the petitioner is informed to the fire service and also the defacto complainant and had taken steps to curtail the fire.

4.Heard the learned Government Advocate (Criminal Side) for the respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Considering the facts and circumstances of the case, this Court is 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, karur, on condition that 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 said Magistrate, on further condition that:

[a] the petitioner shall appear before the respondent police daily at 10.30.am, for a period of two weeks, thereafter as and when required for interrogation.

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

[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 petitioner 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/-
22/01/2019

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO I, KARUR
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR DISTRICT
 - 3 THE INSPECTOR OF POLICE
PASUPATHIPALAYAM POLICE STATION, KARUR DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to MR.M.MURUGESAN Advocate SR.No.1103

ORDER
IN
CRL OP(MD) No.836 of 2019
Date :22/01/2019