



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2019

WEB COPY

PRESENT

The Hon'ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) . No.11422 of 2019

1. T. Balathandayuthabany,
2. P.Maragathavalli,
3. P.Shanmugam,

... Petitioners/Accused Nos.1 to 3

Vs

State Represented by
The Sub Inspector of Police,
Annavasal Police Station,
Pudukkottai District.
(In Crime No.134 of 2019).

... Respondent/Complainant

For Petitioner : M/s. N. Anandakumar,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

to modify the order in so far as the condition directing the 1 to 3 petitioners for depositing a sum of Rs.10,000/- each in Crime No.134 of 2019 on the file of the Respondent Police as stipulated in Cr.M.P.No.1997 of 2019 on the file of the Principal Sessions Judge, Pudukkottai dated 03.08.2019.

ORDER : The Court Made the following order :-

This petition has been filed seeking to modify the order in so far as the condition directing the petitioners 1 to 3 to deposit a sum of Rs.10,000/- each in Crime No.134 of 2019 on the file of the Respondent Police as stipulated in Cr.M.P.No.1997 of 2019 on the file of the Principal Sessions Judge, Pudukkottai dated 03.08.2019.

2.The learned counsel appearing for the petitioners has submitted that even though in the FIR, the value of the damage said to have been caused by the petitioners was not mentioned, the



learned Principal Sessions Judge, Pudukkottai, while granting anticipatory bail to the petitioner has directed each of the petitioners to deposit a sum of Rs.10,000/- before the learned Judicial Magistrate Keeranur and the said condition is an onerous one. However, on instruction, he further submitted that each of the petitioners are willing to deposit a sum of Rs.5,000/- without prejudice to their contention and hence, he requested this Court to modify the said condition.

3.The learned Government Advocate (Crl. Side) has submitted that even though the value of the property damaged has not been mentioned in the FIR, it is clearly stated that 30 pillar stone were damaged by the petitioners and taking into consideration of the aforesaid fact, the Sessions Court has directed each of the petitioners to deposit a sum of Rs.10,000/- and hence, he opposed to modify the said condition.

4.Taking into consideration the submission made by the learned counsel for the petitioners that each of the petitioners are willing to deposit a sum of Rs.5,000/- and also the fact that in the FIR, the value of the damages said to have been caused by the petitioners was not mentioned, this Court is inclined to modify the condition imposed by the Sessions Judge to the effect that each of the petitioners shall deposit a sum of Rs.5,000/- to the credit of Crime No.134 of 2019 before the learned Judicial Magistrate, Keeranur and also execute a bail bond as directed by the Sessions Judge within a period of ten days from the date of receipt of a copy of the order. All other conditions in the said order shall remain intact.

sd/-
16/08/2019

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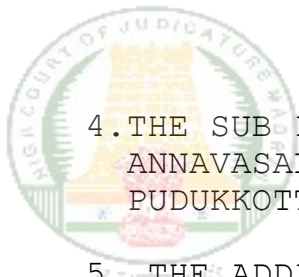
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE PRICIPAL SESSIONS JUDGE,
PUDUKOTTAI.

2.THE JUDICIAL MAGISTRATE,
KEERANUR

3.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT



4. THE SUB INSPECTOR OF POLICE,
ANNAVASAL POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S. N. ANANDAKUMAR Advocate SR.No.82062

ORDER

IN

CRL OP(MD) No.11422 of 2019

Date :16/08/2019

VSG

AE/JC/SAR-II (28.08.2019) 3P 7C