



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

Date : 05/08/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.10685 of 2021

1. Harimadhav,

2. Kannan,

... Petitioners/Accused No.1 & 2

Vs

The State of Tamil Nadu
The Sub Inspector of Police,
Pazhugal Police Station,
Kanyakumari District
(Cr. No.111/2021).

... Respondent/Complainant

For Petitioner : M/s.Hariprasad,
Advocate.

For Respondent : Mr.T.Senthilkumar,
Government Advocate (Crl.Side)

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

PRAYER :-

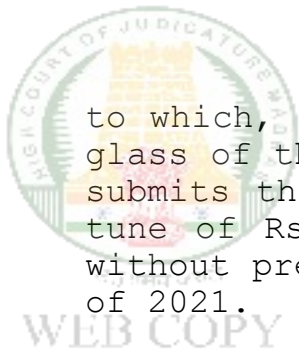
For Bail in Crime No.111/2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/A1 and A2, who were arrested on 19.07.2021, for the offence punishable under Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.111 of 2021 on the file of the respondent police, seek bail.

2. The case of the prosecution is that the petitioners are students in an Engineering College and on 18.07.2021, when they were travelling in a Car, they caused damage to the Transport Corporation Bus, bearing Reg.No.TN55 N 0749.

3.The learned counsel for the petitioners submits that while the Transport Corporation Bus was taking reverse in a petrol bunk, it hit on the petitioners' vehicle bearing Reg.No.KL19 M 2580, due



to which, the petitioners got enraged and they broke the backside glass of the Transport Corporation Bus. The learned counsel further submits that the petitioners are said to have caused damage to the tune of Rs.12,000/- and they are ready to deposit the said amount without prejudice to their case before the trial Court in Cr.No. 111 of 2021.

4. The learned Government Advocate(Crl.Side) appearing for the respondent submits that the investigation is going on.

5. Considering the nature of offence and the period of incarceration and also considering the fact that the petitioners are ready to deposit the damaged amount, this Court is inclined to grant bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail on their 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 learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District and on further conditions that:

[a] 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.

[b] the petitioners shall deposit a sum of Rs.12,000/- (Rupees twelve thousand only) to the credit of Cr.No.111 of 2021 before the learned Judicial Magistrate No.I, Kuzhithurai, Kanyakumari District.

[c] the petitioners shall report before the respondent police once in a week on every Monday at 10.30 am., until further orders.

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

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

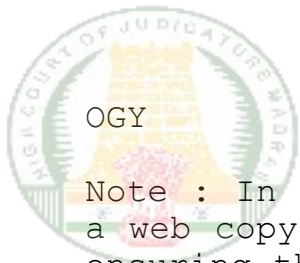
[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
05/08/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



OGY

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The learned Judicial Magistrate No.I,
Kuzhithurai, Kanyakumari District.
2. Do-Through The Chief Judicial Magistrate,
Kanyakumari District at Nagercoil.
3. The officer incharge, Sub Jail, Kuzhithurai.
4. The Sub Inspector of Police,
Pazhugal Police Station, Kanyakumari
District (Cr. No.111/2021).
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER IN
CRL OP(MD) No.10685 of 2021
Date : 05/08/2021

TR/VR/SAR-I(05.08.2021) 3P 6C