



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 08/10/2021
PRESENT

WEB COPY

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.15458 of 2021

Kishore Kumar

... Petitioner/Sole Accused

Vs

The State rep.by,
The Inspector of Police,
Lalgudi, Trichy.
in Crime No.715 of 2021

... Respondent/Complainant

For Petitioner : Mr.P.Ganapathi Subramanian,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar,
Additional Public Prosecutor

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

PRAYER :-For Bail in Crime No.715 of 2021 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who was arrested on 26.09.2021, for the offence punishable under Sections 294(b), 332 and 506(ii) IPC r/w. Section 3 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.715 of 2021, on the file of the respondent Police, seeks bail.

2. The case of the prosecution is that on 25.09.2021 at about 10.00 p.m., when the petitioner visited the Sirumayamgudi Primary Health Centre for treatment, in a drunken mood, the staff nurse advised him to go to Lalgudi Government Hospital. Enraged over the same, the petitioner broke the glass window of the hospital and caused loss to tune of Rs.2,500/-.

3. The case of the petitioner is that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. However, the petitioner is inside the prison from 26.09.2021. Hence, he prayed for grant of bail.

4. The learned Additional Public Prosecutor submits that the services to be completed. yet to be completed.



5. Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and the period of incarceration, this Court is inclined to grant anticipatory bail to the petitioner.

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6. Accordingly, this Criminal Original Petition is ordered. The petitioner is directed to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Lalgudi, Trichy 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioner shall report before the respondent Police as and when required for interrogation;

[c] the petitioner shall not abscond either during trial;

[d] the petitioner shall not tamper with the evidence or witness either during 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 is 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;

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

sd/-

08/10/2021

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

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 JUDICIAL MAGISTRATE,
LALGUDI, TRICHY.
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE OFFICER INCHARGE,
SUB JAIL, MUSIRI, TRICHY DISTRICT.
- 4 THE INSPECTOR OF POLICE
LALGUDI, TRICHY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.15458 of 2021
Date :08/10/2021

OGY
MK/JM/SAR.IV/08.10.2021/3P/6C