



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

Date : 23/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.15013 of 2022

1. Shanmugavel
2. Sriram

... Petitioners/Accused Nos.2 & 4

Vs

The State rep.by
The Inspector of Police,
Alwarkurichi Police Station,
Tenkasi District.
(Crime No. 152 of 2022).

... Respondent/Complainant

For Petitioners : M/s.VIGNESH.N,

For Respondent : Mr.P.KOTTAI CHAMY,
Government Advocate (Crl.Side)

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

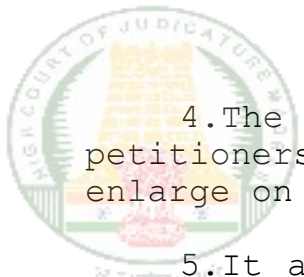
PRAYER :- For Bail in Crime No. 152 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused herein, who were arrested on 07.08.2022 for the alleged offence under Sections 294(b), 341, 506(i) of IPC and Section 5 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.152 of 2022 on the file of the respondent police, seek bail.

2.The case of the prosecution is that the defacto complainant is a driver belongs to the Tamil Nadu State Transport Corporation. On 05.08.2022 in the morning they started trip and at about 03.40PM, when they were nearing VAO Office, the accused persons came there in a bike and came suddenly in front of the bus, there was likelihood of accident, in which, the accused persons picked up quarrel. Due to the intervention of neighbours, the accused persons left the occurrence place. Later, on the same day at about 07.40PM, the accused persons intercepted the bus, assaulted the defacto complainant and damaged the windscreen of the bus, worth about Rs.30,000/-. Hence the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they were falsely implicated in this case and they have not committed any offence as alleged by the prosecution. Hence, prays for bail.



4.The learned Government Advocate (Crl.Side) submitted the petitioners are not having any bad antecedents. The petitioners may enlarge on bail, on depositing the cost of damage.

5.It appears that there was a petty issue between the parties, over which, the first and second occurrence took place. Considering the period of incarceration undergone by the petitioners and they are not having any bad antecedents, this Court is inclined to grant bail to the petitioners with the following conditions.

6.Accordingly, this Criminal Original Petition is allowed on condition that the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Cr.No.152 of 2022 before the trial Court concerned, without prejudice to their rights and contentions before the trial Court.

7. On such deposit being made, the petitioners are ordered to be released on bail, on executing a personal 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, Ambasamudram, and on further condition that the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

sd/-

23/08/2022

/ TRUE COPY /

23/08/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE, AMBASAMUDRAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE INSPECTOR OF POLICE,
ALWARKURICHI POLICE STATION, TENKASI DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.VIGNESH.N Advocate SR.No.8877

ORDER IN

CRL OP(MD) No.15013 of 2022
Date :23/08/2022

PNM

<https://www.mca.gov.in/portal/portal.do?method=dis> 3/23.08.2022/2P/7C