



CRL OP(MD)No.19361 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 26.10.2023

PRESENT

The Hon`ble Mr.Justice R.SAKTHIVEL

CRL OP(MD)No.19361 of 2023

Palanisamy

... Petitioner/ Accused No.2

Vs

The State rep. by  
The Inspector of Police,  
Karaiyur Police Station,  
Pudukottai District.  
(Crime No.112 of 2023)

... Respondent/Complainant

For Petitioner : Mr.G.Mathavan, Advocate

For Respondent : Mr.A.Thiruvadikumar  
Additional Public Prosecutor

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

PRAYER :-

For Bail in Crime No.112 of 2023 on the file of the respondent police.



CRL OP(MD)No.19361 of 2023

WLB COPY  
ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 11.10.2023 for the alleged offence under Sections 147, 294(b), 506(ii) IPC and Section 3 (1) of TNPPDL Act r/w Section 4 of TNPHW Act in Crime No.112 of 2023, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that the defacto complainant is working as a Panchayat Secretary in Karaiyur village. On 11.10.2023, at about 11.00 am., there was a protest in Karaiyur village against malpractice in the village administration. At about 02.15 pm., the accused persons entered into the office and damaged the office files and computer system. They also threatened the staff and abused them in filthy language. Hence, the case.

3.The learned counsel for the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is in judicial custody from 11.10.2023 and hence, he seeks bail.



CRL OP(MD)No.19361 of 2023

WEB COPY

4.The learned Additional Public Prosecutor submitted that the petitioner and other accused damaged the properties belonged to the panchayat. He further submitted that the petitioner has no previous case and the investigation is not completed. At this stage of investigation, if bail is granted to the petitioner, he will cause threat to the defacto complainant. Accordingly, learned Additional Public Prosecutor raised objection for granting bail.

5.Heard on both sides. This Court has perused the records.

6.Petitioner is in judicial custody since 11.10.2023. Petitioner is first offender. Petitioner has no previous case. Hence, with a view to give an opportunity to reform himself and also considering the nature of allegations made against the petitioner and the nature of offence allegedly committed by the petitioner, this Court is inclined to grant bail to the petitioner with conditions.

7.Accordingly, this Criminal Original Petition is allowed subject to the following conditions:-

i)the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only)



CRL OP(MD)No.19361 of 2023

WEB COPY

to the credit of Crime No.112 of 2023 before the learned Judicial Magistrate, Ponnamaravathy, within a period of two weeks from the date of receipt of a copy of this order. In turn, the learned Judicial Magistrate shall deposit the said amount in any one of the Nationalized Bank. The said deposit shall be renewed periodically till the conclusion of trial.

ii)the petitioner is ordered to be released on bail, on 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, Ponnamaravathy.

iii)the petitioner shall report before the learned Judicial Magistrate, Ponnamaravathy daily at 10.00 a.m. until further orders.

iv)the petitioner shall not cause threat to the defacto complainant and witnesses.

v)on breach of any of the aforementioned conditions, the learned Magistrate is entitled to pass appropriate orders against the petitioner in accordance with law as if



CRL OP(MD)No.19361 of 2023

the aforementioned conditions are imposed by themselves as laid down by the

WEB COPY

Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)13 SCC 283].

sd/-

26/10/2023

/ TRUE COPY /

27/10/2023

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

gns

TO

1.The Judicial Magistrate, Ponnamaravathy.

Note: The trial Court shall decide about the entitlement of the deposited amount with accrued interest at the time of passing final judgment.

2. Do through the Chief Judicial Magistrate,  
Pudukottai District.

3. The Officer Incharge  
District Prison, Pudukottai.

4.The Inspector of Police,  
Karaiyur Police Station,  
Pudukottai District.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

+1 CC to M/s.G.MATHAVAN, Advocate ( SR-15616[I] dated 26/10/2023 )



WEB COPY



CRL OP(MD)No.19361 of 2023

ORDER  
IN  
CRL OP(MD) No.19361 of 2023  
Date :26/10/2023

SSA/27.10.2023/6P/7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023