



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

Monday, the Twenty First day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.10958 & 11308 of 2015

MUTHU RAHMAN

... PETITIONER/ACCUSED
RANK NOT KNOWN
IN CRL OP(MD) No.10958/2015

1. k.S.ABDUR RAHMAN
2. S.YUSUF ALI
3. SAMSULNUHA
4. R.RAHMATHULLAH
5. PAKKIR BABU @ ALTHAFI

... PETITIONERS/ACCUSED
RANK NOT KNOWN
IN CRL OP(MD) No.11308/2015

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
C2 SUBRAMANIPURAM (LAW AND ORDER) POLICE STATION, MADURAI,
(CRIME NO.611/2015)

... RESPONDENT/COMPLAINANT
IN BOTH THE PETITIONS

FOR PETITIONER : M/S.S.M.A.JINNAH ADVOCATE
IN BOTH THE PETITIONS
FOR RESPONDENT : GOVERNMENT ADVOCATE (CRL.SIDE)
IN THE BOTH PETITIONS

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

ORDER : The Court Made the following order :-

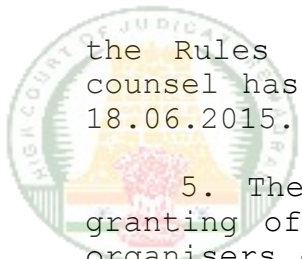
The petitioners who are arrayed as accused in Crime No.611 of 2015, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 153,188,189,294(b), 506(ii) r/w. 109 of IPC, on the file of the respondent police, seek anticipatory bail.

2. According to the prosecution, that on 09.06.2015, the accused violated the permission granted for conducting demonstration and also abused the Police officials in filthy language and threatened them with dire consequences.

3. The learned counsel for the petitioners submitted that the Assistant Commissioner of Police, Thirunelveli Town, entered into Thawheeth Jamath with Boots when the Muslim Community were conducting prayer and caused damage to the property of the Mosque. Therefore, the organisation conducted meeting throughout the State of Tamil Nadu condemning the atrocities of the Police Officials and the meeting was conducted without violating any Rules.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The learned counsel further submitted that though they have not spoken hurting the feelings of Police Officer, they undertake to abide by



the Rules and Laws while conducting meeting in future. The learned counsel has also filed an affidavit of undertaking to that effect, dated 18.06.2015.

5. The learned Government Advocate (Crl. Side) vehemently opposed granting of bail to the petitioners contending that the petitioners are organisers of the meeting and in the public meeting they have abused the officials and also incited the violation against the other community people. The learned Government Advocate (Crl. Side) has also filed a detailed counter, dated 07.07.2015.

6. Considering the submission of the learned counsel for the petitioners and the affidavit of undertaking dated 18.06.2015, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate-IV, Madurai, and on each of them 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 Magistrate concerned and on further condition that the petitioners in the both the Crl.O.Ps (except the 3rd petitioner in Crl.O.P.(MD).No.11308 of 2015) shall appear before the respondent Police daily at 10.00 am for a period of one week and thereafter, as and when required for interrogation. The third petitioner in Crl.O.P.(MD).No.11308 of 2015 being lady shall appear before the respondent Police as and when required for interrogation. Further, the petitioners shall not indulge in similar offence in future. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
21/09/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE -IV,MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, C2 SUBRAMANIPURAM (LAW AND ORDER)
POLICE STATION, MADURAI,
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) Nos.10958 & 11308 of 2015
Date :21/09/2015