



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17705 of 2015

KUMAR @ THAVASI KUMAR

..PETITIONER/1ST ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 177 OF 2015)

..RESPONDENT/COMPLAINANT

For Petitioner : M/S D.VENKATESH Advocate

For Respondent : M/s.S.PRABHA, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of I.P.C., in Crime No.177 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the prosecution, when the de-facto complainant was distributing free mixi and grinder, the petitioner interfered with and scolded him in a filthy language.

3. The learned counsel for the petitioner submitted that he belongs to opposite political party and he has been falsely implicated in this case. It is further submitted that the petitioner has not committed any offence as alleged by the respondent.

4. Per contra, the learned Government Advocate (Crl.side) vehemently opposed granting of bail to the petitioner contending that he has involved in 10 previous cases and therefore, he is not entitled for anticipatory bail.

5. The learned counsel for the petitioner submitted that the previous case was registered, when the general public of Koodankulam have opposed the Nuclear Power Project and at that time, the respondent police has registered a case against the protestors.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Valliyoor and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police on 10.00 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.



7. The petitioner 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/-
11/09/2015

/ TRUE COPY /

WEB COPY

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, VALLIYOOR, TIRUNELVELI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE,TIRUNELVELI.

3 THE ADDL.PUBLIC PROSECUTOR,MADURAI BENCH OF MADRAS HIGH COURT,MADURAI.

4 THE INSPECTOR OF POLICE, KOODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.

+1. CC to M/S D.VENKATESH Advocate SR.No.53724

ORDER IN

CRL OP(MD) No.17705 of 2015

Date :11/09/2015

PBK/AAL-MPA/SAR-II 21/09/2015 ::2P-6C::