



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

Thursday, the Nineteenth day of November Two Thousand Fifteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.21875 of 2015

1 MATHAN@SIVAN RAJ
2 SERMAN
3 MURUGAN
4 KANAGARAJ @ KAIKONDAN
5 SELLAKILI @ PERUMAL
6 SERMAN
7 SERMAN @ SERMAKANI
W/O.AMUTHU,KADANGANERI, ALANGULAM TALUK,
TIRUNELVELI DISTRICT.

... PETITIONERS/
ACCUSED 10,12,14,16,24,29,30

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
UTHUMALAI POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.150/2012)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.P.M.VISHNUVARTHANAN Advocate

For Respondent : Mr.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.10,12,14,16,24,29 & 30, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 448, 294(b), 506(ii) of IPC r/w Section 3 of TNPPDL Act @ 147, 148, 448, 294(b), 427, 506(ii) of IPC, 34 of IPC r/w Section 3 of TNPPDL Act, in Crime No.150 of 2012 on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 10.07.2012 there was a wordy quarrel between the petitioners's group and the defacto complainant's group for removal of water connection in the street.

3.The case of the petitioners is that they are innocent persons and they have been falsely implicated in this case and they have not committed any offence and due to previous motive, the defacto complainant has given a false complaint against the petitioners. The petitioners already moved anticipatory bail in Crl.M.P.No.3111 of 2012 before the Services Judge, Tirunelveli and the same was allowed on 24.07.2012. The petitioners are coolies and hence, they did not produce the sureties. The petitioners went to Kerala for their coolie work.



4.The learned counsel for the petitioners submitted that the petitioners are residing at their village and they will comply the condition regularly.

5.The learned Government Advocate (Crl.side) submitted that investigation has been completed and the charge sheet has already been filed.

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6.Considering the facts and circumstances of the case and also considering the fact that the petitioners were already granted anticipatory bail in Crl.M.P.No.3111 of 2012 on 24.07.2012 and due to their work, they did not produce the sureties in time, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Tenkasi and on each of them 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 petitioners shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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/-

19/11/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, TENKASI

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
UTHUMALAI POLICE STATION, TIRUNELVELI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.M.VISHNUVARTHANAN Advocate SR.No.66283

ORDER

IN

CRL OP(MD) No.21875 of 2015

Date :19/11/2015

NS/SKS-RR/SAR I/23.11.2015 : 2P/6C