



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

Thursday, the Third day of December Two Thousand Fifteen

PRESENT

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

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CRL OP(MD) No.22410 of 2015

1 KADHAR OLI
2 MOHAMED YASIM
3 USHMAN ALI
4 ISMAIL
5 SHEIK BARITH
6 AKBAR ALI
7 IBRAHIM SAIT
8 NAGOOR MYDEEN
9 ABDUL RAHMAN
10 ASHIK ILAHI
11 SHEIK FARITH
12 MOHAMED FAYASUDEEN
13 SELVAM ... PETITIONERS / ACCUSED NOS. 2 TO 11 & 15 TO 17

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
TOWN NORTH POLICE STATION,
DINDIGUL,
CRIME NO.1309 OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.M.A. JINNAH Advocate

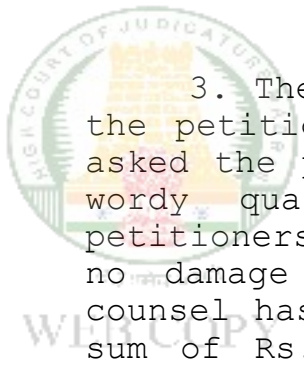
For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos. 1 to 11 and 15 to 17, in Crime No.1309 of 2015 on the file of the respondent police, were arrested and remanded to judicial custody on 16.11.2015 for the alleged offences punishable under Sections 147,148,341,323,506(ii), 307 of IPC r/w. 3(1) TNPPDL Act, and hence, seek bail.

2. The case of the prosecution is that the petitioners and other accused persons purchased 12 tickets and 20 people entered into the theatre viz., Carnivel Theatre situated at Dindigul. When the staff of the theatre questioned the same, they attacked the employee of the theatre viz., one Vincent and the de facto complainant and caused damage to the property of the theatre worth about RS.3,00,000/-. In such circumstances, the case has been registered.



3. The learned counsel for the petitioners submitted that when the petitioners went to the theatre, the employees of the theatre asked the petitioners to sit separately, due to which, there was a wordy quarrel between them. He further submitted that the petitioners were attacked by the employees of the theatre and that no damage was caused by the petitioners. Further, the learned counsel has submitted that the petitioners are willing to deposit a sum of Rs.15,000/- each to the credit of Crime No.1309 of 2015 towards the loss caused to the property.

4. The learned Government Advocate (Crl. Side) on instructions would submit that the petitioners and others without purchasing the ticket for all the persons went into the theatre and when it was questioned, they attacked the employees of the theatre and caused damage to the property worth about Rs.3,00,000/-. He further submitted that the petitioners 1, 4 and 5 were already detained under Act 14 and he has also produced the detention order, dated 29.11.2015. Other petitioners are having one previous case.

5. Considering the facts and circumstances of the case and also considering the fact the petitioners are willing to deposit the amount for the damage caused by them, this Court is inclined to grant bail to the petitioners with certain conditions. Accordingly, the petitioners 2,3, and 6 to 13 are ordered to be released on bail on their 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 Judicial Magistrate-II, Dindugul and on further condition that they shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each to the Credit of Crime No.1309 of 2015 and the petitioners shall appear before the respondent Police daily at 10.00 a.m and 5.00 p.m until further orders.

6. In view of the submission made by the learned Government Advocate (Crl. Side) that the petitioners 1, 4 and 5 are detained under Act, 14, the Criminal Original Petition is dismissed against the petitioners 1, 4 and 5.

sd/-
03/12/2015

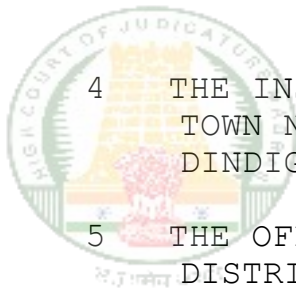
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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE-II
DINDIGUL.

2 THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL.



4 THE INSPECTOR OF POLICE
TOWN NORTH POLICE STATION,
DINDIGUL.

5 THE OFFICERS INCHARGE
DISTRICT PRISON, DINDIGUL.

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+1. CC to M/S S.M.A. JINNAH Advocate SR.No.69095

ORDER

IN

CRL OP (MD) No.22410 of 2015

Date :03/12/2015

RG. 03.12.2015 3P.7C