



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

Friday, the Eleventh day of December Two Thousand Fifteen

PRESENT

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

CRL OP(MD) No.23014 of 2015

1 KRISHNASAMY
2 GANESAPANDIAN
3 RAVEENTHIRANAATH NEHRU
4 MARIAPPAN
5 JEYAPITCHAIKANI
6 MARIPANDIAN
7 THENRAJ
8 P. GURUSAMY
9 KULANTHAISAMY
10 KAMARAJ
11 THENRAMASAMY
12 KARTHIKEYAN
13 MAHALINGAM
14 AANIMUTHU
15 MUTHUPANDIAN

... PETITIONERS / ACCUSED No.7 to 21

Vs

State rep.by
THE INSPECTOR OF POLICE
PUDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO. 135 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.C.T.PERUMAL 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 7 to 21, in Crime No.135 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294(b), 506(ii) IPC and Section 3 of TNPPDL Act r/w 120(b) of IPC and hence, seek anticipatory bail.

2.The case of the prosecution is that the compound wall of Nadar Uravin Murai High School was demolished by the group of people and on the complaint given by the defacto complainant, a case has been registered for the aforesaid offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence and the names of the petitioners have been falsely implicated in the FIR and they belong to the same family of defacto complainant and due to enmity, the defacto complainant has given a false complaint.



4. The learned Government Advocate(Crl.side) submitted that the petitioners are the main accused and they are involved in demolishing the compound wall of Nadar Uravin Murai High School. This Court granted anticipatory bail in Crl.O.P.No.22140 of 2015 to co-accused only on the ground that they are elders of the village and they have signed in the peace committee meeting.

6. From the facts and circumstances of the case, it is seen that the compound wall worth of Rs.3 lakhs constructed by the defacto complainant was allegedly demolished by the petitioners and others and the occurrence is said to be taken place on 18.11.2015.

7. Considering the facts and circumstances of the case and considering the fact that custodial interrogation of the petitioners is not necessary and the occurrence has taken place on 18.11.2015, 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, Vilathikulam, Thoothukudi, 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 twice i.e at 10.00 a.m and 5.00 p.m until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

8.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/-

11/12/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VILATHIKULAM, THOOTHUKUDI

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT

3 THE INSPECTOR OF POLICE
PUDUR POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.C.T.PERUMAL Advocate SR.No.71032

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ORDER

IN

CRL OP(MD) No.23014 of 2015

Date :11/12/2015