



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

Friday, the Twentieth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.5003 of 2015

WEB COPY

1 SHANKAR
2 NEHRU
3 ARUNAGIRI
4 NIRANJANA
5 MUPPIDATHI

... PETITIONERS/ACCUSED NO.1 TO 5

Vs

THE STATE REP BY
THE INSPECTOR O F POLICE
SANKARANKOVIL TOWN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DT,
CRIME NO.153/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.PITCHAI MUTHU Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections **(*)147, 294(b) and 506(ii) IPC and Section 3 of TNPPDL Act and Section 4 of Tamil Nadu Women Harassment Act** in Crime No.153 of 2015 on the file of the respondent police, seek anticipatory bail.

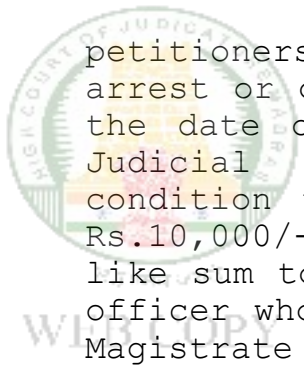
2. The case of the prosecution is that these petitioners are Ward Councillors and caused damage to the furniture belonging to the Municipality and made an attempt to attack the Chairman.

3. The learned counsel for the petitioners submits that the present case has been foisted, because these petitioners belong to the opposition party.

4. Be that as it may, these petitioners being representatives of the public, ought not to have indulged in such violence so as to cause damage to the furniture belonging to the Municipality. Therefore, it will serve best interest of justice, if these petitioners are directed to deposit a sum of Rs.5,000/- each [totally Rs.25,000/-,] in the account of the Municipality concerned, without prejudice to their defence in the criminal case.

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

5. Taking into consideration of the above, I am 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sankarankovil, Tirunelveli District, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a). The petitioners herein shall deposit a sum of Rs.5,000/- each [totally Rs.25,000/-] in the account of the Municipality concerned, without prejudice to their defence in the criminal case.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

(e).The learned Judicial Magistrate shall accept the sureties only on production of proof of deposit of money by the petitioners to the account of the Municipality.

sd/-

20/03/2015

(*)AMENDMENT AS PER ORDER OF THIS COURT

DT.26.03.2015

**Amendment as prayed for is allowed
and two weeks time is extended from the
date of receipt of amended copy of
the order for furnishing sureties
Rest of the conditions shall remain the same.**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

TO BE SUBSTITUED ORDER ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TIRUNELVELI DISTRICT

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE SANKARANKOVIL TOWN POLICE STATION,
SANKARANKOVIL, TIRUNELVELI DT,

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

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.15248

ORDER IN

CRL OP(MD) No.5003 of 2015

Date :20/03/2015