



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

Thursday, the Twenty Sixth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5617 of 2015

SARATHKUMAR

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
VALLIYOOR POLICE STATION, TIRUNELVELI DT,
CRIME NO.95/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.RAJINI Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 188, 341, 294(b), 353 and 506(i) of Indian Penal Code in Crime No.95 of 2015, on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondent.

3. It appears that there was a communal clash between two communities, pursuant to the death of a youth on 18.12.2014 belonging to the community to which the petitioner belongs. Protesting the murder of the youth, this petitioner and other members of his community had staged a demonstration violating the orders of the Superintendent of Police and hence, this case has been registered.

4. The respondent police is present and on instructions, the learned Government Advocate (Criminal side) submits that still picketing is there in the area concerned.

5. The learned counsel for the petitioner submits that the co-accused have been granted bail in this case.

6. Taking into consideration the facts and circumstances of the case, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the sum of Rs. 10,000/- to be deposited with the court or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Valliyoor, Tirunelveli, on condition that the



petitioner 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 petitioner shall stay at Madurai and report before the Thirupparankundram Police Station twice a day daily at 10.30 a.m., in the morning and 06.30 p.m., in the evening for a period of four weeks and thereafter, as and when required by the respondent police for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioner is complying with the order or not.

sd/-
26/03/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
VALLIYOOR, TIRUNELVELI.

2.DO THRO THE CHEIF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

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

5.THE OFFICER INCHARGE,
THIRUPPARANKUNDRAM POLICE STATION,
THIRUPPARANKUNDRAM, MADURAI.

ORDER
IN
CRL OP(MD) No.5617 of 2015
Date :26/03/2015

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