



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5778 of 2015

1 G. LAKSHMANAN
2 R. VAIRA MUTHU
3 K. MARIAPPAN

..PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY THE INSPECTOR OF POLICE,
SENTHAMARAM POLICE STATION,
TIRUNELVELI DISTRICT
(CRIME NO.98 OF 2015).

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 offences punishable under Sections 147, 148, 294 (b), 384, 353, 506(ii) and 149 of Indian Penal Code, in Crime No.98 of 2015 on the file of the respondent police, seek anticipatory bail.

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

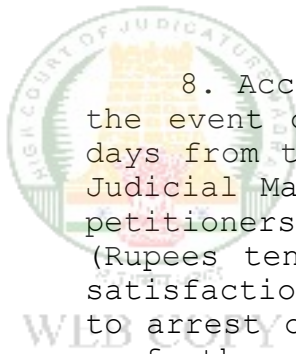
3. It is the case of the prosecution that the petitioners along with the Panchayat President were demanding mamul from the companies, which were installing Wind Mill in their area.

4. It is seen that this Court had granted anticipatory bail in Crl.O.P.(MD)No.5535 of 2015, dated 25.03.2015, to Arasan (A-1) with a direction to him to stay at Madurai and report before the Curator of Gandhi Museum and take part in the social service activities in the Gandhi Museum for two weeks.

5. Applying the same principle, this Court is inclined to grant anticipatory bail to the petitioners also.

6. The learned counsel for the petitioners submits that these petitioners are not the elected representatives, but they are employees in the Panchayat.

7. Therefore, this Court is not imposing the condition that was imposed on the President of the Panchayat in the earlier anticipatory bail application.



8. 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, Tenkasi, Tirunelveli District, on condition that the petitioners shall execute a separate 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 shall appear before the respondent police daily at 06.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[c] 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 Inspector of Police concerned is directed to send a compliance report to the Office of the learned Government Advocate (Criminal side), whether the petitioners are complying with the order or not.

sd/-
27/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, TENKASI, TIRUNELVELI DISTRICT.

2 -do-thro'THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

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

+1. CC to M/S.R.ANAND Advocate SR.No.

ORDER IN
CRL OP(MD) No.5778 of 2015
Date :27/03/2015

PBK 30/03/2015 ::2P-6C: