



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

Monday, the Twenty Seventh day of April Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.7663 of 2015

1 V.P.JAYAKUMAR

2 SANKAR

3 MAYAKOOTHAPERUMAL

4 ARUMUGAM

5 MARIAPPAN

6 NAGARAJ

... PETITIONERS /ACCUSED 1,3,4,6,7 & 8

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

SIPCOT POLICE STATION, THOOTHUKUDI,

(CRIME NO.125 OF 2015). ... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.KARTHIKEYAVENKITACHALAPATHY Advocate

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

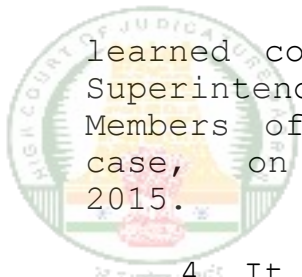
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as A1,A3,A4,A6,A7 and A8 apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 295(A), 294(B),153(A),153 (B),504, 505, 120(B) and 34 of IPC in Crime No.125 of 2015 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused have thrown the Holy Bible and caused humiliation and insulted the de facto complainant and others who are following the Christian faith.

3.The learned counsel for the petitioners submitted that in the Crl.O.P.No.2309 of 2015, which was filed by the de facto complainant to register a case, the Superintendent of Police, Thoothukudi filed a counter stating that during the enquiry, they came to know that the Headmistress of a school has given statement stating that some persons came from "Kithiyan" Christian Organisation and sought permission to give some books relating to good habits to the students and she also permitted and only thereafter, she came to know that they issued Holy Bible to the students and on coming to know that they issued Holy Bible, she immediately recollected all the Bibles given to the students. The



learned counsel further submitted that the counter filed by the Superintendent of Police would reveal that the petitioners who are Members of an Organisation have been falsely implicated in this case, on the basis of the direction given in Crl.O.P.No.2309 of 2015.

4. It is further submitted that the Chief Minister of the Tamil Nadu has made his statement stating that the Hindu Organisation has not instigated communal violence and the petitioners who are members of the organisation have been falsely implicated in this case.

5. The learned Government Advocate (Crl.side) would submit that the accused have insulted the people who are following Christianity by throwing Bible to the floor.

6. Considering the facts and circumstances of the case, 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 before the learned Judicial Magistrate-I, Thoothukudi and on each of them are 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 at 10.30 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
27/04/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE NO. I, THOOTHUKUDI.
2. DO THRO THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
3. THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4. THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI.
- +1. CC to M/S.M.KARTHIKEYAVENKITACHALAPATHY Advocate SR.No.22767

ORDER
IN
CRL OP (MD) No.7663 of 2015
Date : 27/04/2015

RG.29.04.2015 2P.6C.