



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

Thursday, the Fourth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) Nos.9719 and 9507 of 2015

A. NAGORE KANI ... 1st Petitioner/Accused rank not known in
Crl.O.P.No.9719/2015

S.KAJA MYDEEN ... 1st Petitioner/Accused rank not known in
Crl.O.P.No.9507/2015

K. ZIAUTHEEN

S. MOHAMED ABUTHAGIR ... 2nd and 3rd PETITIONERS / ACCUSED RANK NOT
KNOWN IN BOTH THE CASES

Vs

1.THE STATE REP.BY
THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI,
CRIME NO.618/2015 ... RESPONDENT / COMPLAINANT IN
CRL.O.P.NO.9719/2015

2.THE STATE REP.BY
THE INSPECTOR OF POLICE
B.1,VILAKKUTHONE POLICE STATION, MADURAI,
CRIME NO.580 /2015 .. RESPONDENT / COMPLAINANT IN
CRL.O.P.NO.9507/2015

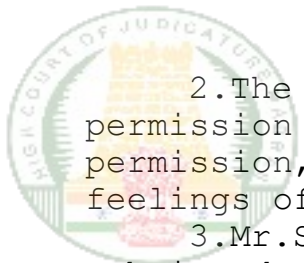
For Petitioner : M/S.S.M.A.JINNAH Advocate
IN BOTH THE CASES

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)
IN BOTH THE CASES

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

ORDER : The Court Made the following order :-

The petitioners in Crl.O.P.No.9719 of 2015, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 188, 504, 505(1)(b) I.P.C in Crime No.618 of 2015 on the file of the respondent police and the petitioners in Crl.O.P.No.9507 of 2015, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 188, 504, 505(1)(b) I.P.C in Crime No.580 of 2015 on the file of the respondent police and hence, seek anticipatory bail.



2.The case of the prosecution is that the accused granted permission only to conduct a public meeting and violating the permission, they have conducted stage dramas insulting the religious feelings of the other community.

3.Mr.S.M.A.Jinnah, learned counsel for the petitioners submitted that conducting drama is a part of the public function and the accused have exercised their constitutional right to express their feelings against the ruling political party and they have not violated any of the Rules or Regulations.

4.The learned Government Advocate(Crl.side) filed a counter affidavit and also submitted that the request for conducting flag hoisting and stage drama was specifically denied by the authorities and the accused have violated the permission and conducted drama. It is further submitted that the drama conducted by the petitioners has hurt feelings of the other religious people.

5.Mr.S.M.A.Jinnah, learned counsel for the petitioners submitted that the petitioners have filed an affidavit stating that they have not hurt the feelings of any religious people and in future they will strictly follow the Rules and Regulations and they will not violate any of the permissions.

6. Considering the submission of the learned counsel for the petitioners and the affidavit of undertaking filed by the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

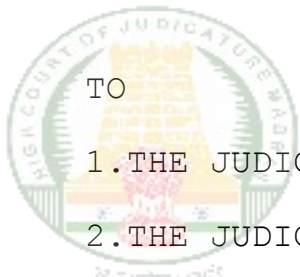
7. Accordingly, the petitioners in Crl.O.P.No.9507 of 2015 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Madurai, and the petitioners in Crl.O.P.No.9719 of 2015 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Madurai, on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before Tallakulam Police Station daily at 10.00 a.m for a period of two weeks and thereafter, as and when required. 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/-

04/06/2015

/ TRUE COPY /



TO

1. THE JUDICIAL MAGISTRATE NO. I, MADURAI.

2. THE JUDICIAL MAGISTRATE NO. II, MADURAI.

3. DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

4. THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI.

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

6. THE INSEPCTOR OF POLICE
B.1. VILAKKUTHONE POLICE STATION, MADURAI.

+2. CC to M/S.S.M.A.JINNAH Advocate SR.Nos.27750 & 27751

ORDER
IN
CRL OP(MD) Nos.9719 and 9507 of 2015
Date :04/06/2015

RG.05.06.2015

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