



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

Friday, the Twenty Fourth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10182 of 2016

1 THANGARAJ
2 JEYARATHINAM
3 MAYALAGU
4 PERUMAL
5 MAHESWARAN
6 MALAIRAJ
7 BOSE
8 MURUGESAN
9 SELVAM
10 MUTHU
11 PILLAPPAN
12 MATHAVAN
13 RAJKUMAR

..PETITIONERS/ACCUSED
(RANK NOT KNOWN)

Vs.

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
MATHGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
CR.NO.135 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S M.RAMU Advocate

For Respondent : Mr.P.KANNITHEVAN, Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners who are arrayed as accused were arrested and remanded to judicial custody on 23.05.2016 for the alleged offences punishable under Sections 147, 148, 188, 294(b), 323, 324, 332, 452, 506(ii) and 307 of IPC r/w. Section 3 of TNPPDL Act, in Crime No.135 of 2016, on the file of the respondent police and hence, seek bail.

2.The case of the prosecution is that the petitioners along with other accused persons damaged the Madagupatti Police Station and set fire on the vehicle kept in the Police Station and damaged the bus belonging the to TNSTC came from Thiruppathur. The petitioners and other accused persons attacked the Police Personnel and caused serious injuries. On complaint, a case has been registered against the petitioners.



3. The case of the petitioners is that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are in judicial custody from 23.05.2016 and prays for enlarging the petitioners on bail.

4. The learned Government Advocate (Crl. Side) submitted that the people of village sought permission for conducting festival of Sathya Vilzha Peraasurar Perumpidugu Muthuarayar on 23.05.2016. The respondent police rejected their request on 23.05.2016. Due to which, more than 400 people at 7.00 pm came to the Madagupatti Police Station with deadly weapons, with an intention to create problem and caused damaged to the police station and the bus belonging to the Transport corporation and tried to set fire to the bus and total damage is yet to be calculated. He further submitted that, if the petitioners are enlarged on bail, there will be further communal clash and the petitioners and others caused injuries to the people and damage to the properties. It is further contended that a special team has been formed headed by the Superintendent of Police and the the investigation is at earlier stage and prays for dismissal of this petition. He further submitted that if the petitioners are released on bail, they will tamper the evidence and hamper the investigation.

5. Considering the facts and circumstances of the case and also considering the fact that the petitioners are in judicial custody from 23.05.2016, this Court is inclined to enlarge the petitioners on bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions:

- (i) Each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Sivagangai;
- (ii) the petitioners shall report before the Inspector of Police, Thirukostiyur Police Station daily at 10.00 a.m. and 5.00 pm until further orders.
- (iii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iv) the petitioners shall not abscond either during investigation or trial.
- (v) 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



6. The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate (Crl side), as to whether the petitioners are complying with the condition or not.

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sd/-
24/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGANGAI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI.
- 3 THE ADDL. PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, MATHGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
- 5 THE OFFICER-IN-CHARGE, THIRUKOSTIYUR POLICE STATION,
THIRUKOSTIYUR.
- 6 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

+1. CC to M/S M.RAMU Advocate SR.No.32800

ORDER IN
CRL OP(MD) No.10182 of 2016
Date :24/06/2016

PBK/GSV-PM/SAR-III 24/06/2016 ::3P-8C::