



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

Thursday, the Thirtieth day of June Two Thousand Sixteen
PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI
CRL OP(MD) No.10722 of 2016

1 BALAMURUGAN
2 RAMESH
3 SHANMUGAM
4 KANNAN
5 MURUGAN
6 MARIAPPAN
7 SENTHIL

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MUNNEERPALLAM POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO. 151/2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S T.SELVAN Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

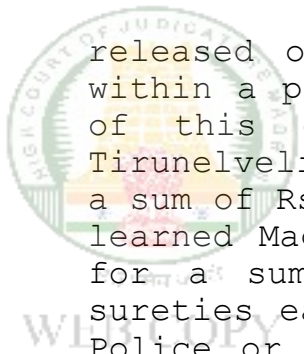
The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 323, 506(ii) and 379(NH) IPC @ Sections 147, 148, 341, 294(b), 323, 506(ii) IPC and Section 3 of TNPPDL Act, in Crime No.151 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 31.05.2016, during temple function procession, when the de facto complainant riding his motor cycle inside the procession, the accused abused him in filthy language, attacked him, threatened him with dire consequences and also damaged his motor cycle. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel for the petitioners submitted that the petitioners are willing to deposit Rs.3,000/- each to the credit of the case.

4.The learned Government Advocate (Criminal side) submitted that the petitioners abused the de facto complainant in filthy language, attacked him, threatened him with dire consequences and also damaged his motor cycle to the tune of Rs.20,000/-. The de facto complainant sustained only simply injury

5.Considering the facts and circumstances of the case and also considering the fact that the injured sustained only simply injury, this court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, they 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 No.V, Tirunelveli, on condition that each of the petitioners shall deposit a sum of Rs.3,000/- to the credit of Crime No.151 of 2016 before the learned Magistrate concerned and each of them 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioners shall report before the respondent Police daily at 10.00 a.m. until further orders.
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners shall not abscond either during investigation or trial.
- (iv) 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]**.

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

sd/-

30/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, MUNNEERPALLAM POLICE STATION, TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T.SELVAN Advocate SR.No.34298
SMN

CSL/GSV-PM/SAR-I/04.07.2016 : 2P/6C

ORDER

IN

CRL OP(MD) No.10722 of 2016

Date :30/06/2016