



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

Monday, the Eighteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.10727 of 2016

1 K.K.S.S.R.RAMACHANDRAN
2 SUBBARAJ
3 RAMESH
4 A.K.MANI
5 CHANDRABOSE @ CHANDARPAUL
6 BABUJI

..PETITIONERS/ACCUSED 1 to 6

Vs.

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
CR.NO.375 OF 2016

..RESPONDENT/COMPLAINANT

For Petitioner : M/S A.BASKARAN Advocate

For Respondent : Mr.P.KANNITHEVAN, Government 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 Nos.1 to 6, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 188, 171(G), 109, 506(1) IPC and Sections 127(A)(1), 125 of Representation of People Act, 1950, in Crime No.375 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

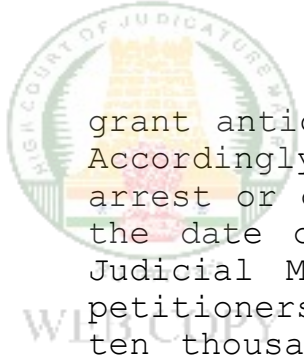
2.The case of the prosecution is that on 14.05.2016 at about 06.30 p.m., during assembly election, on the instigation of A.1 and A.2, A.3, A.5 and A.6 issued the pamphlets and when the same was questioned by the complainant, a wordy quarrel arose between them. On complaint case has been registered for the above said offences.

3.The case of the petitioners is that they are innocent persons and they have not committed any offence as alleged by the prosecution. The petitioners are ready to abide any condition to be imposed by this Court.

4.The learned Government Advocate (Criminal side) submitted that on 14.05.2016 at about 06.30 p.m., during assembly election, on the instigation of A.1 and A.2, A.3, A.5 and A.6 issued the pamphlets and when the same was questioned by the complainant, a wordy quarrel arose between them. Investigation is in preliminary stage. If the petitioners are enlarged on anticipatory bail, they will tamper the evidence and hamper the investigation.

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances of the case and also considering the nature of allegation, 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, Aruppukottai, on condition that each of the petitioners 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 first petitioner shall report before the respondent Police weekly twice i.e., on every Saturday and Sunday at 10.00 a.m. until further orders and the petitioners 2 to 6 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/-
18/07/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT
- 2 -do-thro' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.
- 3 THE ADDL.PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 4 THE SUB INSPECTOR OF POLICE, ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.

+1. CC to M/S A.BASKARAN Advocate SR.No.37663

ORDER IN
CRL OP(MD) No.10727 of 2016
Date :18/07/2016