



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

Monday, the Eleventh day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11265 of 2016

1 SELVARAJ
2 KUMAR
3 SATHIYAN
4 PAVENTHAN
5 RAJAN
6 MARUTHAIVEERAN
7 MARAN
8 RAMESH
9 PONNAR
10 SANKAR
11 GANESH
12 MUTHU
13 PRAVEEN
14 VENKATESH
15 JEYABHARATHI
16 RAMACHANDRAN
17 GOPALAKRISHNAN
18 SURESH
19 NEHRU
20 SANTHAKUMAR
21 RAMESH
22 JEYAMOORTHY
23 SUBBAIAH

... PETITIONERS/ ACCUSED NO.1 TO 23

Vs

STATE THROUGH BY
THE INSPECTOR OF POLICE
THOTTIYAM POLICE STATION,
CR NO.158 /2016,
TRICHY DISTRICT.

... RESPONDENT/ COMPLAINANT

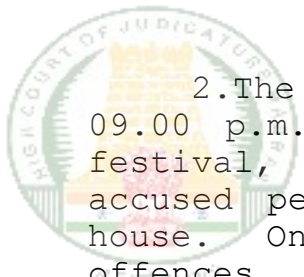
For Petitioner : M/S M.SUBASH BABU Advocate

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 Nos.1 to 23, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 336, 354, 427 and 506(i) IPC., in Crime No.158 of 2016 on the file of the respondent police and hence, seek anticipatory bail.



2.The case of the prosecution is that on 14.06.2016 at about 09.00 p.m. due to dispute with regard to celebration of temple festival, in front of the house of the de facto complainant, the accused persons abused him in filthy language and set fire his house. On complaint, case has been registered for the above said offences.

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3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and they have been falsely implicated in this case.

4.The learned counsel for the petitioners submitted that the petitioners are willing to deposit a total sum of Rs.5,000/- to the credit of Crime No.158 of 2016 before the learned Judicial Magistrate, Musiri.

5.It is submitted by the learned Government Advocate (Crl.Side) that the injured person had already been discharged from the hospital.

6.Considering the facts and circumstances of the case and also considering the fact that the injured person had already been discharged from the hospital, 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, Musiri, on condition that the petitioners shall deposit a total sum of Rs.5,000/- (Rupees five thousand only) to the credit of Crime No.158 of 2016 before the learned Judicial Magistrate, Musiri 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 06.00 p.m. for a period of two weeks and thereafter as and when required for interrogation.
- (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.**



7. 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/-
11/07/2016

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

SMN

TO

1 THE JUDICIAL MAGISTRATE, MUSIRI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE INSPECTOR OF POLICE, THOTTIYAM POLICE STATION,
TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S M.SUBASH BABU Advocate SR.No.35879

GJM/ARK/PV/SAR-I-13.7.16-3P-6C

ORDER
IN
CRL OP(MD) No.11265 of 2016
Date :11/07/2016