



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

Monday, the First day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11399 of 2016

1 PERUMAL
2 KARUPPAN @ VOORAMBALAM
3 MURUGAN @ TEA KADAI MURUGAN
4 SEVATHAMANI
5 MURUGAN @ DOBI MURUGAN
6 VELLAISAMY
7 ANBU NESHAN
8 KALIAMMAL
9 MURUGAN
10 ADAIKAN
11 PONALAGU
12 K.C. PALANISAMY
13 ALAGAR
14 VELLADURAI
15 PALANIYANDI
16 VADIVEL

... PETITIONERS/ACCUSED NO.1 TO 15
... PETITIONER/ACCUSED NO.1 TO 17

Vs

REPRESENTED BY
THE INSPECTOR OF POLICE
THUVARANKURUCHI POLICIE STATION
TRICHIRAPPALLI DISTRICT,
CRIME NO. 227 OF 2016.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S S.GOPALAMANIKANDAN 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 15 and 17, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 341, 294(b), 188, 332 and 307 IPC, in Crime No.227 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 04.07.2016, A.1 along with 150 persons, blocked the road in Trichy-Madurai Main Road, demanding release of the accused in Crime No.225 of 2016 and caused disturbance to the general public and they assaulted the de facto



complainant, abused him in filthy language and threatened him with dire consequences. On complaint, a case has been registered for the above said offences.

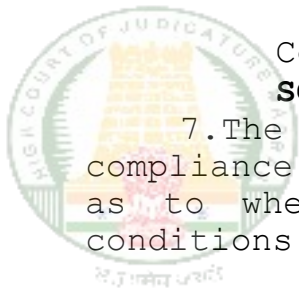
3.The learned counsel for the petitioners submitted that the petitioners 1 and 16 were already arrested on 16.07.2016 and released on bail. Considering the said submission made on the side of the petitioners, this petition is dismissed as against the petitioners 1 and 16.

4.The learned counsel for the petitioners further submitted that the petitioners 2 to 15 are innocent persons and they have not committed any offence as alleged by the prosecution and they have nothing to do with the alleged occurrence.

5.The learned Government Advocate (Criminal side) filed a counter affidavit and submitted that due to the act of the accused persons, the main road connecting Trichy to Madurai was blocked for two hours and the accused persons brutally attacked a police officer and raised serious objections for granting anticipatory bail to the petitioners 2 to 15.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 2 to 15 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, Manapparai, on condition that each of the petitioners 2 to 15 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 2 to 15 shall stay at Madurai and report before the Inspector of Police, Tallakulam Police Station daily at 10.00 a.m. until further orders.
- (ii) the petitioners 2 to 15 shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioners 2 to 15 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 2 to 15 in accordance with law as if the conditions have been imposed and the petitioners 2 to 15 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]**.

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 2 to 15 are complying with the conditions or not.

sd/-

01/08/2016

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/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, MANAPPARAI, TRICHY DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE , TRICHY DISTRICT.
 - 3 THE INSPECTOR OF POLICE, THUVARANKURUCHI POLICE STATION, TRICHIRAPPALLI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
 - 5 THE INSPECTOR OF POLICE, TALLAKULAM POLICE STATION, MADURAI.
- +1. CC to M/S S.GOPALAMANIKANDAN Advocate SR.No.41133

SMN

CSL/SKS-RR/SAR-I/08.08.2016: 2P/7C

ORDER

IN

CRL OP(MD) No.11399 of 2016

Date :01/08/2016