



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

Wednesday, the Thirteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11545 of 2016

1 DEVENDRAKULA THIYAGU @ THIYAGARAJAN
2 ELANKANNAN,
3 RAMKUMAR,
4 MADANKUMAR,
5 NAVEEN @ NAVEEN KUMAR,
6 MARUDUPANDI,

... PETITIONERS/ACCUSED No.1,3,4,5,7 & 8

Vs

THE STATE REP.BY
THE SUB INSPECTOR OF POLICE,
LALGUDI POLICE STATION,
TRICHY DISTRICT.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S P.GANAPATHI SUBRAMANIAN Advocate

For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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

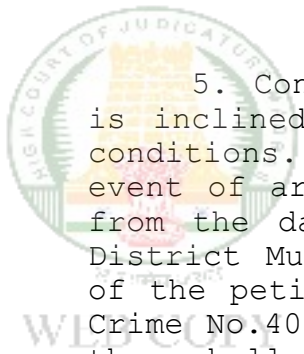
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1, 3, 4, 5, 7 and 8, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147 and 148 IPC and Section 3(1) of TNPPDL Act, in Crime No.409 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that on 03.07.2016, one Mohanraj, the driver of the Tamil Nadu State Transport Corporation bus, while driving the bus bearing Registration No.TN-45-N-2059 from Lalgudi to Trichy, the petitioners and others pelted stones at the Transport Corporation buses and damaged the glasses of the buses. On complaint, a case has been registered for the offences stated above.

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.3,800/- each to the credit of the case.

4. The learned Government Advocate (Criminal side) submitted that the petitioners and other accused persons pelted stones at the Transport Corporation buses and damaged the glasses of the buses to the tune of Rs.38,000/-.



5. Considering the facts and circumstances of the case, 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 District Munsif-cum-Judicial Magistrate, Lalgudi, on condition that each of the petitioners shall deposit a sum of Rs.3,800/- to the credit of Crime No.409 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/-

13/07/2016

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF -CUM- JUDICIAL MAGISTRATE,
LALGUDI.

2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE SUB INSPECTOR OF POLICE,
LALGUDI POLICE STATION, TRICHY DISTRICT.

+1. CC to M/S P.GANAPATHI SUBRAMANIAN Advocate SR.No.36279.

ORDER

IN

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Date :13/07/2016