



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

Friday, the Fifteenth day of July Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.11839 of 2016

1 C.CHANDRA SEKAR,
2 CHANDRA,
3 P.BHARATH,
4 S.RAVI,
5 R.SELVA KUMAR,

... PETITIONERS/ACCUSED (RANK NOT
KNOWN)

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO.121 OF 2016)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S A.KESAVAN Advocate

For Respondent : M/S.P.KANNITHEVAN Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

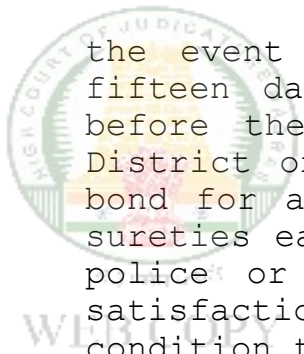
The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 143,341 and 188 of IPC in Crime No.121 of 2016, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons staged Dharna at East Bazaar, Koodankulam, for the detention of one Nagarajan, by the respondent Police. When the same was questioned by the defacto complainant and asked them to disperse, they threatened him with dire consequences. On complaint, a case has been registered against the petitioners.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that due to personal vengeance with the first petitioner, their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that on 06.07.2016 the petitioners staged Dharna and prevented general public from moving place and caused public nuisance and the investigation of the case is pending.

5. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners 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, Valliyoor, Thirunelveli District on condition that each of the petitioner 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners 1 and 3 to 5 shall appear before the respondent respondent police daily at 10.00 am and 5.00 pm until further orders and the second petitioner being a lady shall appear before the respondent Police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

sd/-

15/07/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, VALLIYOOR.
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, KOODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S A.KESAVAN Advocate SR.No.36792

trp

JA-AAL-MPA-SAR.II/20.7.2016/2P:6C

ORDER

IN

CRL OP(MD) No.11839 of 2016

Date :15/07/2016