



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

Thursday, the Twenty First day of July Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.12337 of 2016

1 DURAISAMY
2 SASIKUMAR
3 SARAVANAN
4 KRISHNAN
5 VANARAJ
6 CHANDRASEKAR

... PETITIONERS/ACCUSED RANK NOT KNOWN

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
REDDIYARCHATHIRAM POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.121 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S P.MAHENDRAN 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 :-

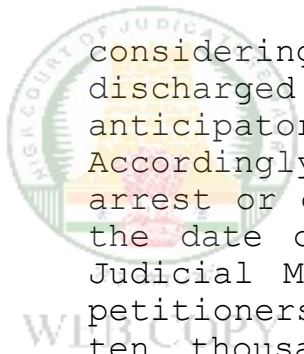
The petitioners, who are arrayed as accsued, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 148, 341, 188, 353, 324, 506(ii) of IPC r/w Sections 3(1) and 5 of TNPPDL Act, in Crime No.121 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that during Temple festival, at the time of procession on carrying the idol of the temple in the main road, dispute arose and the accused persons damaged the property belonged to the police officials and caused injury to the police persons. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the petitioners have conducted temple festival in a peaceful manner without any hindrance to the public and they have not involved in the occurrence. All the injured persons initially were taken to the hospital and subsequently, they were discharged from the hospital. They are innocent and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case and prays for anticipatory bail in favour of the petitioners.

4.It is submitted by the learned Government Advocate (Crl.Side) that during temple festival at the time of procession in the idol of Muthanampatti Kalliamman Mariamman Bhagavathyamma Temple, dispute arose and the petitioners pelted stone on the police officials and caused damage to the property of the police officials and the injured person had already been discharged from the hospital.

5.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, Oddanchathram, 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 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 twice at 10.00 a.m. and 5.00 p.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/-
21/07/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, ODDANCHATHRAM, DINDIGUL DISTRICT.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
3 THE INSPECTOR OF POLICE, REDDIYARCHATHIRAM POLICE STATION,
DINDIGUL DISTRICT.
4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1. CC to M/S P.MAHENDRAN Advocate SR.No.38643
NB
CSL/AAL-MPA/SAR-I/29.07.2016 :2P/6C

ORDER
IN
CRL OP(MD) No.12337 of 2016
Date :21/07/2016