



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.12356 of 2016

1 D. DURAIKANNAN
2 K. RAMACHANDRAN
3 S. LINGARAJ
4 PRABU

... PETITIONERS/ACCUSED NOS.A1 TO A4

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
THIRUPULLANI POLICE STATION,
RAMNAD DISTRICT,
CR NO. 105/2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.SENTHIL KUMAR 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 are arrayed as Accused Nos.1 to 4, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 153(A)(1)(6), 188 of IPC, in Crime No.105 of 2016, on the file of the respondent police and hence, seek anticipatory bail.

2.The case of the prosecution is that on 08.05.2016 at about 7.00 p.m., the petitioners were going on procession in the streets of Periyapattinam canvassing the votes. At that time, when they were crossing the Periyapattinam Almajthil Pallivasal they have shouted slogan and disturbing the prayer going on in Pallivasal. When the defacto complainant asked them not to disturb the prayer, the petitioners refused to listening the words of the defacto complainant and they shouted slogans. On complaint, case has been registered for the above said offences.

3.The case of the petitioners is that the first petitioner is a Candidate for particular political party and other petitioners are party members. The complaint has been given against the petitioners only to harass them. The petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and due



political motive, 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 the investigation is pending.

5.Considering the nature of allegations, 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 No.I, Ramanathapuram, 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 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 10.30 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]**.

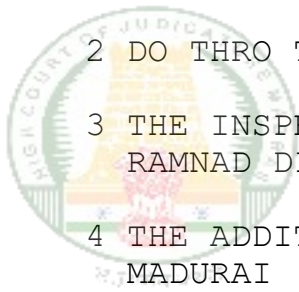
6.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioners are complying with the conditions or not.

sd/-
21/07/2016

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

TO



2 DO THRO THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
3 THE INSPECTOR OF POLICE THIRUPULLANI POLICE STATION,
RAMNAD DISTRICT,
4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S R.SENTHIL KUMAR Advocate SR.No.38547

ORDER

IN

CRL OP (MD) No.12356 of 2016

Date :21/07/2016

SDR/AAL-MPA/SAR III/27.07.2016/3P/6C