



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

Wednesday, the Seventeenth day of August Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.14993 of 2016

1 SIKANDER,
2 ABDUL BASID,
3 SAMSUDEEN,

... PETITIONERS / ACCUSED Rank Not Known

Vs

THE STATE
THE SUB INSPECTOR OF POLICE,
ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.732/15)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.BASKARAN 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 :-

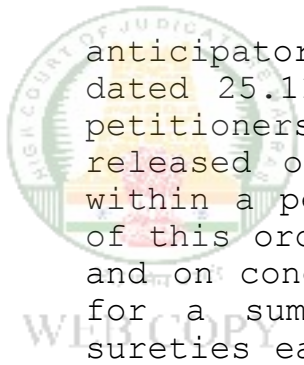
The petitioners who are arrayed as accused, apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147,148,341,353,332,336,323,324 and 307 of IPC in Crime No.732 of 2015, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and other accused persons pelted stones in Vinayakar Chathurthi Rally and attacked the defacto complainant and police personnels and caused injuries and they also caused riot among the public. 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 and their names have been not found in FIR. He further submitted that co-accused have already granted anticipatory bail by this Court in CrI.O.P(MD).No.21360 of 2015, dated 25.11.2015 and prays for granting anticipatory bail in favour of the petitioners.

4. The learned Government Advocate (CrI. Side) submitted that the investigation of the case is pending.

5. Considering the facts and circumstances of the case and also considering the fact that co-accused have already granted



anticipatory bail by this Court in Crl.O.P(MD).No.21360 of 2015, dated 25.11.2015, 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, Aruppukkottai and 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.00 am until further orders.

[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].

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 condition or not.

sd/-

17/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, VIRUDHUNAGAR AT SRIVILLIPUDUR
- 3 THE SUB INSPECTOR OF POLICE, ARUPPUKOTTAI TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.A.BASKARAN Advocate SR.No.45868

ORDER

IN

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Date :17/08/2016