



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

Thursday, the Twenty Eighth day of January Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

CRL OP(MD) No.1532 of 2016

1 PRADEEP
2 KUMAR @ KISHORE KUMAR
3 STALIN @ STALIN DEEPAK RAJA ... PETITIONERS / ACCUSED NO.3 TO 5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SOMANATHAPURAM POLICE STATION,
AMARAVATHI PUDUR,
SIVAGANGAI DISTRICT,
CR NO. 9 OF 2016.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S S.M.SANJAY Advocate

For Respondent : M/S.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

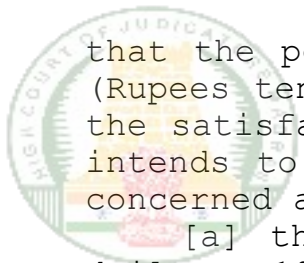
The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 447 of IPC and Section 3(i) of TNPPDL Act, 1992 r/w 511 of IPC, in Crime No. 9 of 2016 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners are students and they agitated against the dustbin issue and entered into the Cell phone tower.

3.It is submitted by the learned counsel for the petitioners that the petitioners are innocent persons and they have not committed any offence and prays for anticipatory bail in favour of the petitioners.

4.The learned Government Advocate (Crl.side) submitted that charge sheet has not been filed in this case.

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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, Sivagangai District, on condition



that 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 10:30 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 compliance report to the office of the learned Additional Public Prosecutor whether the petitioners are complying with the order or not.

sd/-

28/01/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, KARAİKUDI SIVAGANGAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE SIVAGANGAI.

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

4 THE INSPECTOR OF POLICE
SOMANATHAPURAM POLICE STATION,
AMARAVATHI PUDUR, SIVAGANGAI DISTRICT.

+1. CC to M/S S.M.SANJAY Advocate SR.No.1532

ORDER

IN

CRL OP(MD) No.1532 of 2016

Date : 28/01/2016

RG.GSV-AN/SAR-I 29.01.2016 2P.6C