



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

Monday, the Twenty First day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

WEB COPY

CRL OP(MD) No.22016 of 2016

1 SAMSUDEEN
2 SIKKANTHAR SHA
3 RAHMAN ALI
4 MOHAMED YASIN
5 MOHAMED IMTHIYAS
6 SAMEENULLA
7 JAHEER ALI
8 SADHAKATHULLA KHAN
9 ABDUL HAMEED
10 ARASATH
11 BASHEER
12 SADIQ
13 AJMAL
14 MOHAMED RILVI

... PETITIONERS/ACCUSED 2,3,5 TO 10,
12 TO 14, 16,17&19

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
DEVI PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO.467 OF 2016)

... RESPONDENT/COMPLAINANT

FOR PETITIONERS : M/S.D.VENKATESH, ADVOCATE
FOR RESPONDENT : Mrs.S.PRABHA, GOVERNMENT ADVOCATE (CRL. SIDE)

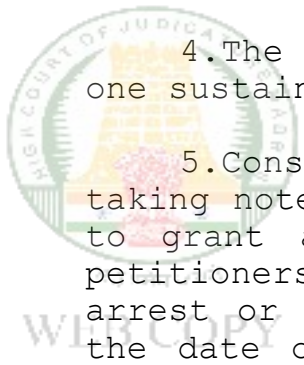
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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, 448, 294(b), 295-A, 297, 505(3) and 506(ii) IPC in Crime No.467 of 2016 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to a dispute in a Jamaath regarding burial of dead body, the petitioners prevented the de facto complainant from doing their rituals.

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 no one sustained injury and investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that no one sustained injury, 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 No.I, Ramnad, 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]**.

sd/-
21/11/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMNAD.
2. THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
DEVI PATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.VENKATESH Advocate SR.No. 71227

ORDER IN
CRL OP(MD) No.22016 of 2016
Date :21/11/2016