



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

Friday, the Tenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.8317,8458 AND 8398 of 2016

1 RAJASEKARAN
2 A.MARIAPPAN
3 A.MUTHUKUMAR
4 M.THIRUPATHI
5 M.SATHISH

.. PETITIONERS/ACCUSED RANK NOT KNOWN
IN CRL OP (MD) NO.8317/2016

1 BALU
2 ANBARASAN
3 R.RANJITH
4 ARUMUGAM
5 R.RAJU

...PETITIONERS /25TH,26TH,29TH,41st AND 44TH
ACCUSED IN CRL OP (MD) NO.8458/2016

1 VAIRAVAN
2 MURUGAN
3 HARICHANDRAN
4 SELVAMANI
5 SELVARAJ
6 BOOMINATHAN
7 RAVI, S/O.MUTHAIAH
8 THRIUNAVUKARASU
9 DURAI
10 ARAMAN
11 LAKCHMANAN
12 RAMASAMY
13 DEVAN
14 RAJENDRAN
15 RAVI S/O.BOSS

.. PETITIONERS/ACCUSED RANK NOT KNOWN
IN CRL OP (MD) NO.8398/2016

Vs

STATE REP.BY THE INSPECTOR OF POLICE
MATHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.

(CRIME NO.NOT KNOWN OF 2016
IN CRL OP (MD) NO.8317/2016)
(CRIME NO. 135/2016

<https://hcservices.ecourts.gov.in/hcservices/>

IN CRL OP (MD) NO.8458,8398/2016 ... RESPONDENT / COMPLAINANT



For Petitioners : MR.M.RAMU Advocate IN CRL OP(MD)NO.8317, 8398/2016
MR.USILLAI O.SIVAKUMAR Advocate
IN CRL OP(MD)NO.8458/2016

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)
IN ALL THE CASES

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

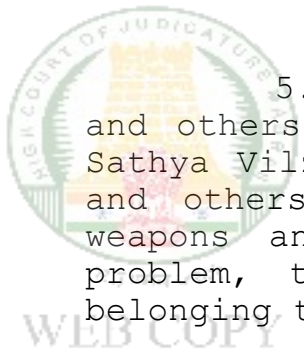
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148,153,294(B),323,324,307 and 506 (ii) of IPC r/w. Section 4 of TNPPDL Act in Crime No.not known of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons damaged the Madagupatti Police Station and set fire in the vehicle kept in the Police Station and damaged the bus belonging to the TNSTC came from Thiruppathur. The petitioners and other accused persons attacked the police personnel and caused serious injuries. On complaint, a case has been registered against the petitioners.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that they were celebrating the festival of "Sathya Vilzha Peraasurar Perumpidugu Muthuarayar". At the time of function, the Inspector of Police insulted the people stating their Casts. Due to which, the youngsters attacked the Police officers and caused injuries. It is further contended that the first petitioner in Crl.O.P(MD).No.8317 of 2016 is President of Madagupatti Panchayat and the 2nd petitioner is Union Councilor of the Village Panchayat. Due to political motive, their names have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the people of village sought permission for conducting festival of Sathya Vilzha Peraasurar Perumpidugu Muthuarayar on 23.05.2016. The respondent police rejected their request on 23.05.2016. Due to which, more than 400 people at 7.00 pm came to the Madagupatti Police Station with deadly weapons, with an intention to create problem and caused damaged to the police station and the bus belonging to the Transport corporation and tried to set fire to the bus and total damage is yet to be calculated. He further submitted that, if the petitioners are granted anticipatory bail, there will be further communal clash and the petitioners and others caused injuries to the people and damage to the properties. It is further contended that a special team has been formed headed by the Superintendent of Police and the the investigation is at earlier stage and prays for dismissal of this petition.



5. It is seen that the allegations against the petitioners and others is in spite of permission being refused to conduct of Sathya Vilzha Peraasurar Perumpidugu Muthuarayar, the petitioner and others numbering more than 400 people gathered with deadly weapons and when the police requested them not to create any problem, they attacked the Police Station and damaged the bus belonging to the TNSTC and set fire in the bus.

6. Considering the serious nature of allegations levelled against the petitioners and that there is a possibility of communal clash and that the Special Team headed by the Superintendent of Police, Sivagangai is investigating the case, this Court is not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the Criminal Original Petitions are dismissed.

sd/-
10/06/2016

/ TRUE COPY /

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

TRP
TO

- 1 THE INSPECTOR OF POLICE, MATHAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 3 THE SUPERINTENDENT OF POLICE, SIVAGANGAI.

GJM/SK/SKN/SAR-I-16.6.16-3P-4C

ORDER
IN
CRL OP (MD) No.8317, 8458 &
8398 of 2016
Date :10/06/2016