



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

Wednesday, the Fifteenth day of June Two Thousand Sixteen

PRESENT

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

CRL OP(MD) Nos.8686 and 8687 of 2016

1 RAMESH
2 HARICHANDRAN @ ARICHANDRAN
3 SELVAGANESH

... PETITIONERS/ACCUSED IN
CRL.OP (MD) NO.8686/2016

1. SEENIVASAN
2. PRABHAKARAN
3. KALI @ ARUMUGAM
4. GANESAN
5. PERUMAL
6. ANAND
7. PAGAN @ SEVUGAN
8. MALAYANDI

... PETITIONERS/ACCUSED (RANKS NOT KNOWN)
IN CRL.OP (MD) NO.8687/2016

Vs

STATE
REP BY THE INSPECTOR OF POLICE
MADAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT,
(CRIME NO. 135/2016)

... RESPONDENT/ COMPLAINANT IN
BOTH THE CASES

For Petitioner : M/S D.RAMESHKUMAR Advocate in both Cases

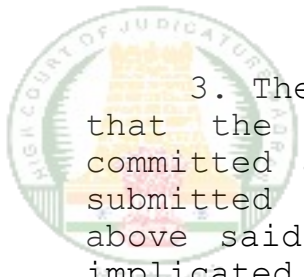
For Respondent : M/S.K.ANBARASAN,

Government Advocate (Crl. Side) in both 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, 294(B), 323, 324, 332, 452, 307 and 506(ii) of IPC r/w. Section 3 of TNPPDL Act in Crime No.135 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 the petitioners herein never participated in the above said alleged occurrence and 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 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/-

15/06/2016

/ TRUE COPY /

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

TO

1. THE ADDITIONAL PUBLIC PROSECUTOR

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

2. THE INSPECTOR OF POLICE, MADAGUPATTI POLICE STATION,
SIVAGANGAI DISTRICT,

3. THE SUPERINTENDENT OF POLICE, SIVAGANGAI

RL/4C/2P/SK/SKN/SARIII/29/6/2016

ORDER

IN

CRL OP (MD) Nos. 8686 and 8687 of 2016

Date : 15/06/2016