



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

Monday, the Twentieth day of June Two Thousand Sixteen

PRESENT

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

CRL OP (MD) No.8948 of 2016

1 RAVICHANDRAN,
2 CHANDRAN
3 MAHATAHIR ALIAS ABDUL KADHAR
4 DHAKSHINAMOORTHY
5 NARAYANAN
6 RAJKUMAR
7 K.R.PERIYAKARUPPAN ... PETITIONERS/ACCUSED NO.1,2,4 TO 8

Vs

STATE REB.BY
THE INSPECTOR OF POLICE
THIRUKOSTIYUR POLICE STATION, SIVAGANGAI
DISTRICT.CR. NO. 52 OF 2016 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S K.R.BADRUS ZAMAN Advocate

For Respondent : M/S.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 Nos.1,2,4 to 8, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147,148, 188, 294(b),323, 506(ii) and 120(b) of IPC in Crime No.52 of 2016 on the file of the respondent police and hence, seek anticipatory bail.

2. The case of the prosecution is that at the instigation of the 7th petitioner, the petitioners and his party members assembled with deadly weapons and attacked the defacto complainant, threatened him with dire consequences and also abused in filthy language violating the code of conduct of the election.

3. It is submitted by the learned counsel appearing for the petitioners that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that due to election dispute, their names have been falsely implicated in this case. Further, the 7th petitioner was the candidate and there was political enmity between both parties. The first petitioner also gave a counter complaint against the defacto



complainant and the same was registered in Crime No.53 of 2016.

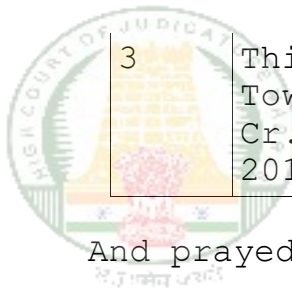
4. The learned Government Advocate (Crl. Side) filed counter affidavit and stated that at the instigation of the 7th petitioner, the petitioners and the other accused assembled with deadly weapons and threatened the defacto complainant with dire consequences and abused in filthy language and the investigation of the case is pending. He further submitted that 6th petitioner is having the Rowdy History Sheet in H.S.No.92 of 2015 in SS Kottai Police Station, Sivagangai District and the petitioners 5 and 6 have given wrong address in the petition and the vehicle involved is in possession of 6th petitioner and the 7th petitioner is having previous cases and the details of previous cases against the petitioners are as follows:-

7th petitioner:

S.No.	Station and Crime No.	Section of Law	Accused	Stage
1	Thirukhostiyur PS Crime No.14/11	143,188 of IPC and 177 MV Act	K.R. Periyakaruppan	PT
2	Thirupathur Town PS. Cr.No.397/2015	143,147,148,188,363 and 34, 120(B) IPC r/w. 3(1) of PPDL Act	K.R. Periyakaruppan	PT
3	Thirukhostiyur PS Crime No.35 of 2016	143,188 of IPC and 177 MV Act	K.R. Periyakaruppan	NTF
4	Thirupathur Town PS. Cr.No.132/2015	147, 294(B) and 506(i) of IPC	K.R. Periyakaruppan	NTF
5	Thirupathur Town PS. Cr.No.134/2015	143,188,286,290 IPC r/w. 3(A) (1) TNOPPD Act	K.R. Periyakaruppan	NTF

6th petitioner :

S.No.	Station and Crime No.	Section of Law	Accused	Stage
1	Kandavarayanpatti PS Cr.No.92 of 2015	147,148,294(b), 324 and 506(ii) of IPC	Rajkumar s/o.Kathirvel, Jeyamkondanilai	PT
2	Thirupathur Town PS Cr.No.134 of 2015	143,188,286,290 of IPC r/w. 3(A) (i) (a) TNOPPD Act	Rajkumar s/o.Kathirvel, Jeyamkondanilai	NTF



3	Thirupathur Town PS Cr.No.397 2015	of	143,147,148,188,36 3, 34, 120(B) IPC r/w. 3 (1) of PPDL Act	Rajkumar s/o.Kathirvel, Jeyamkondanilai	NTF
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And prayed for dismissal of this petition.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 1 to 4 and 7, with certain conditions. Accordingly, the petitioners 1 to 4 and 7 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate,, Thiruppathur and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 1 to 4 shall appear before the respondent police daily at 10.00 a.m., until further orders and the 7th petitioner shall appear before the respondent Police once in a week i.e on every Sunday at 10.00 am until further others. The petitioners 1 to 4 and 7 shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners 1 to 4 and 7 shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

7. In respect of the the petitioners 5 and 6, the Criminal Original Petition is dismissed.

sd/-
20/06/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUPPATHUR,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE THIRUKOSTIYUR POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S K.R.BADRUS ZAMAN Advocate SR.No.31527

ORDER

IN

CRL OP(MD) No.8948 of 2016

Date :20/06/2016