

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Criminal Jurisdiction )

Friday, the Sixth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL ORIGINAL PETITION No.21065 of 2017

1 K. JANAKIRAMAN [ PETITIONERS / ACCUSED ]  
2 S. BUDHAMANI  
3 S. ABRAHAM  
4 ASIRVATHAM  
5 BALAJI  
6 GUNASEKARAN  
7 V. DILLIGANESH  
8 M. SIVA

Vs

THE INSPECTOR OF POLICE, [ RESPONDENT ]  
MANAVALA NAGAR POLICE STATION,  
THIRUVALLUR DISTRICT.  
CR.NO. 542 OF 2017.

For Petitioner : M/S.R.DHAMODARAN Advocate

For Respondent : MR. B.RAMESH BABU, Govt. Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners seek anticipatory bail under section 438 of Cr.P.C. for the alleged offences under Sections 147, 148, 294(b), 323 and 506(ii) of IPC and Section 3 of the Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992.

2. Heard both sides.

3. According to the prosecution, the petitioners are workmen of the Company viz., Star Boxes India Private Limited, Pollivakkam and they are all members of All India Trade Union Congress. The petitioners are alleged to have attacked the Manager of the said Company and caused injuries. Totally there are 21 accused and of them, 13 co-accused have already been released on bail.

4. The learned counsel for the petitioners would submit that nothing had happened as alleged by the prosecution and the petitioners assembled at the gate only, without they did enter into the factory premises. He would further submit that only with a view to harass the workmen, the present complaint has been foisted on the petitioners and 13 co-accused have already been released on bail and therefore, they may be granted anticipatory bail.

5. The learned Government Advocate(Criminal side) would submit that totally there are 21 accused and out of them, 13 co-accused have been released on bail.

6. Having regard to the nature of allegations against the petitioners and the fact that 13 co-accused have already been released on bail and the prosecution does not require custodial interrogation of the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7 (i) The petitioners are ordered to be released on bail in the event of their arrest or appearance before the learned Judicial Magistrate No.II, Thiruvallur, within a period of fifteen days from the date of receipt of a copy of this order on their executing a bond for a sum of Rs.2,000/- (Rupees two thousand only) with two sureties each for a like sum to the satisfaction of the said Magistrate.

(ii) The petitioners shall report before the respondent as and when required for interrogation.

-sd/-  
06/10/2017

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,  
NO.II, THIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE  
THIRUVALLUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,  
MANAVALA NAGAR POLICE STATION,  
THIRUVALLUR DISTRICT.

+1CC to M/S.R.DHAMODARAN Advocate on payment of necessary  
charges SR NO.19015

CRL OP.21065/2017

Date :06/10/2017

MK:09/10/2017