

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twentieth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr Justice N. AUTHINATHAN

CRIMINAL ORIGINAL PETITION No.24902 of 2017

B.UTHAMAN

[PETITIONER / ACCUSED]

Vs

THE INSPECTOR OF POLICE
NANNILAM POLICE STATION,
NANNILAM,
THIRUVARUR DISTRICT,
CR.NO.319/2017.

[RESPONDENT]

For Petitioner : M/S.R.BASKAR 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 petitioner seeks anticipatory bail under section 438 of Cr.P.C. for the alleged offences under Sections 143, 448, 186, 353, 505(1)(b) and Section 7 (1) (a) Criminal Law Amendment Act, 2005 in Cr.No.319 of 2017 on the file of the respondent police.

2. Heard both sides.

3. According to the prosecution, the petitioner along with other public have staged a protest against ONGC projects and also caused hindrance to their work. Hence, this petition has been filed.

4. The learned counsel for the petitioner would submit that the petitioner who is arrayed as A7, is an innocent person. He further submitted that the co-accused has been arrested and released on bail. The petitioner has been falsely implicated in this case and therefore, he may be granted anticipatory bail.

5. The learned Government Advocate (Crl. Side) would submit that the complainant is the Deputy General Manager of ONGC. It is alleged that this petitioner along with other public were distributed pamphlets, pasted poster, spread rumour, inducing public of Neduvasal and Karthiramangalam villages to protest against the proposed project of ONGC. He further submitted that they trespassed into the site at Nannilam and threatened the staff and also asked them to take away the vehicles from the project site.

6. Having regard to the nature of allegation against the petitioner and taking note of the fact that the co-accused has been released on bail and as it is not stated that the custodial interrogation of the petitioner is required, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions :-

7. (i) Anticipatory bail is granted.

(ii) The petitioner is ordered to be released on bail in the event of his arrest or appearance before the learned Judicial Magistrate, Nanilam Town, Thiruvavarur, within a period of fifteen days from the date of receipt of a copy of this order on his executing 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 said Magistrate.

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

-sd/-
20/11/2017

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,
NANILAM TOWN, THIRUVARUR

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVARUR (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
NANNILAM POLICE STATION, NANNILAM,
THIRUVARUR DISTRICT.

CC to M/S.R.BASKAR Advocate on payment of necessary charges
Sr.21240

CRL OP.24902/2017

Date :20/11/2017

RVR 24/11/2017