



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

Monday, the Seventh day of August Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.10120 of 2017

1 ABDUL RAHUMAN @ RAHUMAN
2 ABBASH ALI @ ABBASH
3 MOHAMMED ALI

... PETITIONERS/ACCUSED 2 TO 4

Vs

STATE OF TAMILNADU REPRESENTED BY ITS,
THE INSPECTOR OF POLICE
VALANADU POLICE STATION,
TRICHY DIST,
CRIME NO. 118/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.SIVABALAN Advocate
For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

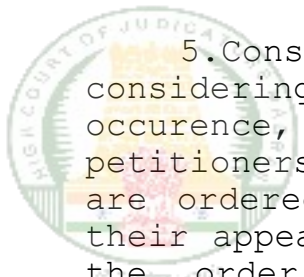
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 427 and 506(i) of IPC., in Crime No.118 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that due to election motive, the petitioners said to have damaged the chairs and name board of the Mosque.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged in the complaint. He would further submit that in the event of the relief of anticipatory bail is granted, the petitioner may be directed to appear before the Court concerned instead of respondent Police.

4.The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that totally four accused in the case. The petitioners are arrayed as A2 to A4 respectively, A1 is still absconding.



5.Considering the facts and circumstances of the case also considering the fact that no one sustained injury in the occurrence, I am inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Manaparai, on condition that the petitioners shall execute 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners shall report before the learned Judicial Magistrate, Manapari daily at 10.30 a.m until further orders;

[b]the petitioners shall not tamper with evidence or witness either during investigation or trial;

[c]the petitioners shall not abscond either during investigation or trial;

[d]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate / Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala (2005 AIR SCW 5560)**.

sd/-

07/08/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,MANAPARAI, TRICHY DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3 THE INSPECTOR OF POLICE,
VALANADU POLICE STATION, TRICHY DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.K.SIVABALAN Advocate SR.No.28276

ORDER

IN

CRL OP(MD) No.10120 of 2017

Date :07/08/2017