



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

Friday, the Twenty Second day of September Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.12515 of 2017

1 VEERAMALAI
2 ANAND
3 SELVI
4 SARASWATHI
5 SUBASHINI
6 PANDIAMMAL
7 SUBBUTHAI
8 MANJU
9 SEETHA

... PETITIONERS / ACCUSED NOS. 3 to 11

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
VANNIYAMPATTI VILAKKU POLICE STATION,
VIRUDHUNAGAR DISTRICT
(CRIME NO.126 OF 2017)

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.A.BALAJI 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 147, 148, 448 IPC and Section 3 of TNPPDL Act in Crime No.126 of 2017 on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused have protested for not opening the TASMAL shop and thereby abused the manager of the said TASMAL shop, attacked him with stone and also opened the TASMAL shop and damaged the liquor bottles worth about Rs.89,110/-.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He voluntarily agreed to deposit a sum of Rs.30,000/- in the name of the petitioners to the credit of Crime No.126 of 2017 on the file of the Judicial Magistrate No.II, Srivilliputhur without prejudice to their contentions in this case.



4.The learned Additional Public Prosecutor appearing for the respondent Police on instruction would submit that totally there are 11 accused and the petitioners are arrayed as A3 to A11. He further submitted that investigation is pending.

5.Considering the facts and circumstances of the case and also taking note of the fact that the learned counsel for the petitioners voluntarily agreed to deposit a sum of Rs.3000/- by each of the petitioners to the credit of Crime No.126 of 2017 on the file of the Judicial Magistrate No.II, Srivilliputhur without prejudice to their contentions in this case, I am inclined to grant anticipatory bail to the petitioners. 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 No.II, Srivilliputhur, 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 respondent Police weekly once i.e., every Sunday 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).

[e]the petitioners shall deposit a sum of Rs.3000/- each to the credit of Crime No.126 of 2017 on the file of the Judicial Magistrate No.II, Srivilliputhur without prejudice to their contentions in this case.

sd/-
22/09/2017

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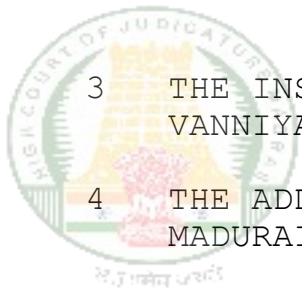
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, SRIVILLIPUTHUR.

<https://hcservices.ecourts.gov.in/hcservices/>

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.



3 THE INSPECTOR OF POLICE,
VANNIYAMPATTI VILAKKU POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

WEB COPY

ORDER

IN

CRL OP(MD) No.12515 of 2017

Date :22/09/2017

MKV-RR-BS-SAR 3/26.09.2017/2P-5C