



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12775 of 2017

1 GOVINDARAJ,
2 NALLATHAMBI,
3 RAJENDRAN,
4 MUTHUKUMAR,
5 PANDIAN,
6 PITCHAIMANI,
7 DHILIP KUMAR,
8 SIVARAMAN,
9 ANBU,
10 PANDI RADHA,
11 MANIKANDAN,
12 RAMAIAH,
13 PAJARAJ,

... PETITIONERS / ACCUSED Nos.1 to 13
Vs

STATE THROUGH REPRESENTED BY
THE INSPECTOR OF POLICE,
BATLAGUNDU P.S., DINDIGUL DISTRICT.
CR.NO.434 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.M.SARAVANAKUMAR Advocate

For Respondent : Mr.C.Ramesh, Additional Public Prosecutor

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

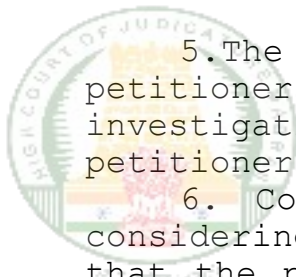
ORDER : The Court Made the following order :-

The petitioners / A1 to A13, who were arrested on 12.09.2017, for the offences punishable under Sections 143, 188, 353, 285 IPC., and Section 7(1)a Criminal Law Amendment Act and 3(1) of TNPPDL Act, in Crime No.434 of 2017, on the file of the respondent police, seek bail.

2.The case of the prosecution is that the petitioners are alleged to have formed an unlawful assembly and raised slogan against the Honourable Chief Minister of Tamil Nadu and poured kerosene on the effigy of the Honourable Chief Minister of Tamil Nadu and also damaged the public property worth about Rs.1,000/-.

3.Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent / Police.

4.The learned counsel for the petitioners would submit that due to political motive, the present false complaint has been lodged by the respondent police. The petitioners are innocent and they have not committed any offence as alleged in the complaint.



5. The learned Additional Public Prosecutor submitted that the petitioners have committed serious offences and since the investigation is still pending, he opposed for granting bail to the petitioners.

6. Considering the facts and circumstances of the case and considering the nature of the offences and also considering the fact that the petitioners are in judicial custody from 12.09.2017, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(i) Each petitioner 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 Judicial Magistrate, Nilakottai, Dindigul District;

(ii) the petitioners are directed to appear before the respondent police daily twice I.e., at 10.30 a.m. and 5.30 p.m. until further orders;

(iii) the petitioners shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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/-

28/09/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, NILAKOTTAI, DINDIGUL DISTRICT

2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI

4 THE INSPECTOR OF POLICE,
BATLAGUNDU POLICE STATION, DINDIGUL DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.M.SARAVANAKUMAR Advocate SR.No.31833

ORDER

IN

CRL OP(MD) No.12775 of 2017

Date :28/09/2017