



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

Wednesday, the Eleventh day of October Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.13755 of 2017

1 V.VIJAYARAJ

2 RAJAGOPAL

... PETITIONERS/ACCUSED No.1&2

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT,
(Crime No. 660/2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SANTHAKUMARESAN Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners/accused Nos.1 and 2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 323 and 506(i) of IPC., and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.660 of 2017, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the whistle blower and he raised certain issues regarding the misappropriation of funds, which was allotted by the Government for various schemes to the Melapattamkarisalkulam Panchayat, by the defacto complainant/Panchayat President. On 02.10.2017, when the Gramasaba meeting was held, there was a wordy quarrel arose between the petitioners and the defacto complainant and the petitioners used filthy language against the defacto complainant and attacked him and gave a life threat to him. Based on the complaint, case has been registered for the above said offence.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. In fact, the first petitioner is the whistle blower of the particular area and he questioned the



misappropriation of funds, due to which, the defacto complainant lodged this false complaint against the petitioners.

4. The learned Government Advocate (Criminal side) appearing for the respondent submitted that it is a case and case in counter and investigation is still pending.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) appearing for the State, 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 fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Rajapalayam, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the investigation officer, daily between 10.00 a.m. and 11.00 a.m., for a period of two weeks;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall make themselves available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not commit any offence while on bail;

(v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-
11/10/2017

/ TRUE COPY /

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

TO
1 THE JUDICIAL MAGISTRATE



2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR

3 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT

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

+1. CC to M/S.V.SANTHAKUMARESAN Advocate SR.No.32541

ORDER

IN

CRL OP (MD) No.13755 of 2017

Date :11/10/2017

PJL

SH/PM-PN/SAR-1:20.10.2017: 3p/6c