



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

Tuesday, the Twenty Fourth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

WEB COPY

CRL OP(MD) No.14216 of 2017

1 MATHIARASAN
2 SURESH
3 PANNEERSELVAM
4 PONNIAH
5 KARUPPAIAH
6 ARASAPPAN
7 ALAGAR SAMY
8 ALAGAR

... PETITIONERS/ACCUSED No. 1 to 8

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.279/2017

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.S.M.SANJAY Advocate

For Respondent : MR.K.ANBARASAN, Government Advocate(Crl.Side)

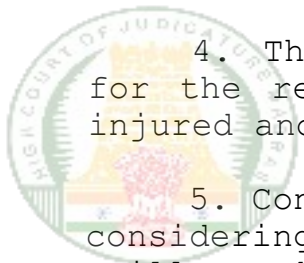
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/A1 to A8, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 353, 506(i) and 379 (NH) of IPC, in Crime No.279 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are villagers. On 17.10.2017, the petitioners made protest against the Government Sand Quarry situated in the nearby area. In the process, the petitioners prevented the Government agencies from running the Government sand quarry, hence the PWD Engineer lodged a complaint against the villagers, thereby the law enforcing agencies registered a complaint against the villagers.

3. The learned counsel appearing for the petitioner would submit that the petitioners genuinely protested against the illegal sand quarry run by the Assistant Executive Engineer. When they calmly protested in the particular area, in order to wreak vengeance against the villagers, they foisted a false case against the petitioners. The petitioners are innocent persons and they have not committed any offences as alleged by the above prosecution.



4. The learned Government Advocate (Criminal side) appearing for the respondent on instructions, would submit that no one was injured and investigation is pending.

5. Considering the facts and circumstances of the case and also considering the fact that no one was injured and investigation is still pending, 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, Thiruvadanai, Ramanathapuram District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each, 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 appear before the respondent police as and when required ;
- (ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;
- (iii) the petitioners shall not commit any offence while on bail;
- (iv) 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/-
24/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, THIRUVADANAI, RAMANATHAPURAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE, THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.SANJAY Advocate SR.No.33069

ORDER
IN
CRL OP(MD) No.14216 of 2017
Date :24/10/2017