



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

Thursday, the Ninth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.15281 of 2017

1 S. KANNAN
2 M. SAKTHIVEL
3 M. MARI
4 A. MAHENDRAN
5 K. MUTHUMANI @ MUTHUMANICKAM
6 M. MUTHIAH
7 K. MUTHUKARUPPAN
8 V. MURUGAN
9 K. KARUNAGARAN
10 N.SUBRAMANIYAN
11 M.KARUPPAYI
12 M.CHITHIRAISAMY
13 A.SASIKUMAR
14 S.MOHAN
15 A.SEKAR
16 M.VALLI
17 M.JEYANTHI
18 K.KANTHAMMAL
19 M.RAMESH

... PETITIONERS / ACCUSED NOS.
1 TO 10 & 13 & 15 TO 22

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
PARTHIPANOR POLICE STATION,
RAMANATHAPURAM DISTRICT,
CRIME NO.296/2017

... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.MALAIKANI 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, who were apprehending arrest at the hand of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 324, 336, 332, 353 and 506(ii) IPC, in Crime No.296 of 2017, on the file of the respondent police seek anticipatory bail.



2.The case of the prosecution is that on 24.10.2017 there was a group clash, between two communities with regard to a burial ground dispute. The petitioners attacked the Law Enforcing Agency and sustained injuries. Hence, the Law Enforcing Agency lodged a complaint against these petitioners.

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. He further submitted that the petitioners have no power to attack the Law Enforcing Agency and pray for anticipatory bail.

4.The learned Government Advocate(Crl.side) appearing for the State, on instructions, submitted that there was a group clash between two communities. If these petitioners were granted anticipatory bail in the same place, they will create some law and order problem. Hence, he prays to impose some stringent conditions to keep them away from their village.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), 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 of receipt of a copy of this order, before the learned Judicial Magistrate,Paramakudi 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:

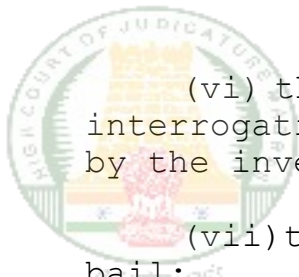
(i) the petitioner nos. 1 to 5 shall report before the Kolachal Police Station, Kanyakumari District, daily at 10.30 a.m. until further orders.

(ii)the petitioner nos.6 to 10 shall report before the Town Police Station, Virudhunagar District, daily at 10.30 a.m. until further orders.

(iii) the petitioner nos.12 to 15 and 19 shall report before the Srivilliputhur Police Station, Virudhunagar District, daily at 10.30 a.m. until further orders.

(iv)the petitioner nos.11, 16 to 18 shall report before the respondent police as and when required for interrogation.

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



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

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

(viii) 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 bail granted stands cancelled automatically.

sd/-

09/11/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE, PARAMAKUDI.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE,
PARTHIPANOR POLICE STATION,
RAMANATHAPURAM DISTRICT,
- 4 THE INSPECTOR OF POLICE,
KOLACHAL POLICE STATION,
KANYAKUMARI DISTRICT,
- 5 THE INSPECTOR OF POLICE,
TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 6 THE INSPECTOR OF POLICE,
SRILVILLIPUTHUR POLICE STATION,
VIRUDHUNAGAR DISTRICT,
- 7 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH Court, MADURAI.

+3. CC to M/S.S.MALAIKANI Advocate SR.No.34094

ORDER

IN

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Date : 09/11/2017



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