



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

Thursday, the Thirtieth day of November Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16501 of 2017

1 PERIYANNAN
2 SIVAKUMAR
3 SUBRAMNAI
4 MARUTHAMUTHU
5 SARAVANAN
6 BALAJI
7 HARIHARAN

... PETITIONERS/ ACCUSED NOS.1 TO 7
Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION,
MUSIRI TALUK, TRICHY DISTRICT.
CRIME NO.95 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioners: M/S.D.SHANMUGARAJA SETHUPATHI, Advocate
For Respondent : M/S.K.ANBARASAN, Government Advocate(Crl.Side)

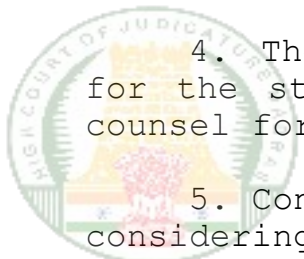
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 to 7, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 354 & 506(i) IPC, in Crime No.95 of 2017, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 22.06.2017, the petitioners formed an unlawful assembly with regard to the administration of the Educational Institution run by the Trust, in which, the husband of the defacto complainant is the Secretary and threatened the defacto complainant. Thereby, the defacto complainant lodged a complaint against the petitioners before the respondent police. Similarly, the first petitioner also lodged a case against the de-facto complainant in Crime No.96 of 2017. This is a case and case in counter.

3. The learned counsel appearing for the petitioners would submit that the first petitioner is the Chairman and the second petitioner is the son of the first petitioner and other petitioners are employees of the above said Educational Institution. Aggrieved over the questions raised by the petitioners in the interest of administration, the defacto complainant gave a false complaint against the petitioners.



4. The learned Government Advocate (Criminal side) appearing for the state did not dispute the submission made by the learned counsel for the petitioners.

5. Considering the facts and circumstances of the case and also considering the fact that there was a case in counter, 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, Thuraiyur, Trichy 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 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/-
30/11/2017

/ TRUE COPY /

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

TO

- 1. THE JUDICIAL MAGISTRATE, THURAIYUR, TRICHY DISTRICT.
- 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.
- 3. THE SUB INSPECTOR OF POLICE,
JAMBUNATHAPURAM POLICE STATION, MUSIRI TALUK,
TRICHY DISTRICT.
- 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.D.SHANMUGARAJA SETHUPATHI Advocate SR.No.35463

ORDER IN
CRL OP(MD) No.16501 of 2017
Date :30/11/2017