



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

Monday, the Fourth day of December Two Thousand Seventeen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16530 of 2017

V.KALIRAJ

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
RAILWAY POLICE STATION,
VIRUDHUNAGAR DISTRICT,
(CR.NO. NOT KNOWN OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.V.SELVA 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 petitioner herein, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147,323,506(ii) I.P.C., in Crime No.131 of 2011 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to the arrest of John Pandian, who is the communal leader, the petitioner/A6 and other accused persons belonging to the same community, in order to express their protest, they decided to capsize the train viz., Sengkottai Passenger Train,thereby, the case was registered against the petitioner/A6 herein and other accused persons.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he did not commit any offence as alleged by the prosecution. Based on the confession of accused no.1, the petitioner herein was implicated in the above said crime. He further submitted that the reason for such a false implication is best known to the Law Enforcing Agency.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that in this case, the accused nos.1 and 7 were arrested and released on bail and the other accused persons were



granted anticipatory bail by this Court. After 5 years, the respondent police came to know that the petitioner herein who is arrayed as Accused no.6 also implicated in the above said crime. He further submitted that the investigation was completed and charge sheet has been filed.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Srivilliputhur on condition that the petitioner 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 shall report before the Judicial Magistrate Court, Srivilliputhur daily at 10.30 a.m. until further orders.

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

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

(iv) the petitioner shall not abscond either during investigation or trial.

(iv) the petitioner 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/-

04/12/2017

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

TO

1 THE JUDICIAL MAGISTRATE
SRIVILLIPUTHUR

<https://hcservices.ecourts.gov.in/hcservices/>

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR



3 THE INSPECTOR OF POLICE,
RAILWAY POLICE STATION, VIRUDHUNAGAR DISTRICT

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

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+1. CC to M/S.V.SELVA Advocate SR.No.35543

ORDER

IN

CRL OP(MD) No.16530 of 2017

Date :04/12/2017

msa

SH/CM-VR/SAR-4:06.12.2017:3P/6C