



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

Friday, the Seventeenth day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.3020 and 3028 of 2017

1 RAJA
2 SANGILIRAJA
3 GANESAN
4 PANDI
5 MURUGAN
6 MURUGARAJ
7 MURUGARAJ
8 SANGALIMADAN

... PETITIONERS / ACCUSED (RANK NOT KNOWN)
IN CRL OP(MD) No.3020

1.JUSTIN DHIRAVIYAM
2.MAHARAJAN

...PETITIONER/ACCUSED NO 1& 2
IN CRL OP(MD) No.3028

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
MANIYACHI POLICE STATION,
MANIYACHI VILLAGE,
THOOTHUKUDI DISTRICT
(REF. CRIME NO.9 OF2017)

... RESPONDENT / COMPLAINANT
IN BOTH PETITIONS

For Petitioner : M/S.R.NIRESH KUMAR, Advocate
IN CRL OP(MD) No.3020

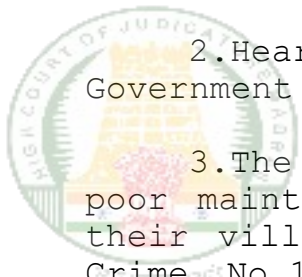
For Petitioner : M/S.P.SAMUEL GUNASINGH, Advocate
IN CRL OP(MD) No.3028

For Respondent :M/S S.PRABHA, Govt. Advocate (Crl. Side)
IN BOTH PETITIONS

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

ORDER : The Court Made the following order :-

The petitioners/Accused in Crime No.9 of 2017 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 332, 353 and 506(i) IPC and hence, seek anticipatory bail.



2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent/State.

3. The learned counsel for the petitioners submitted that due to poor maintenance of electricity wire, one Kuruvammal belonging to their village died, for which a case has also been registered in Crime No.12 of 2017 under Section 174 Cr.P.C.. Condemning the negligent act of the Electricity Department, the villagers conducted agitation in front of the Office of the Electricity Department on 08.03.2017 and also sought for departmental action against the official concerned. While so, after a lapse of five days i.e., on 13.03.2017, the present complaint has been given by an official of the Electricity Department alleging that the petitioners along with other accused persons have entered into the Electricity Board Office and prevented the defacto complainant from doing his official duty by using criminal force and also threatened him with dire consequences. He would further submit that no such occurrence as alleged in the complaint has been taken place. With ulterior motive, the present false complaint has been lodged.

4. The learned Government Advocate submitted that the investigation is pending.

5. Considering the submissions of the learned counsel for the petitioners and also considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners in both the cases with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Kovilpatti and on each executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police once in a week i.e., on every Monday at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

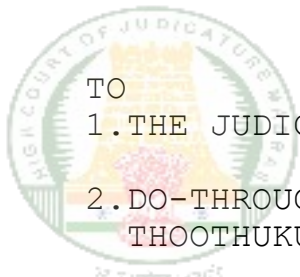
6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

17/03/2017

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO. I, KOVILPATTI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE
MANIYACHI POLICE STATION,
MANIYACHI VILLAGE,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S. R. NIRESH KUMAR Advocate SR.No.15661

+1. CC to M/S. P. SAMUEL GUNASINGH Advocate SR.No.15660

ORDER

IN

CRL OP (MD) No.3020 and 3028
of 2017

Date : 17/03/2017

MS/BS/SAR.2/22.03.2017/3P.7C