



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

Wednesday, the Seventeenth day of May Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.5948 and 5949 of 2017

1 DINESH KUMAR ALIAS DINESH
2 DEEPAK ALIAS DEEPAK SAMRAJ
3 VALARMATHI

... PETITIONERS/ ACCUSED NO.1,2 & 4
IN CRL OP(MD) No.5948 of 2017

1.SURYAVARMA
2.KARTHIK

...PETITIONERS/ACCUSED NO.2 AND 6
IN CRL OP(MD) No.5949 of 2017

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
IN CR NO. 277 OF 2017,
KARUR DISTRICT.

... RESPONDENT/ COMPLAINANT
IN BOTH THE PETITIONS

For Petitioners : M/S.A.JAYARAMACHANDRAN Advocate
IN BOTH THE PETITIONS

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)
IN BOTH THE PETITIONS

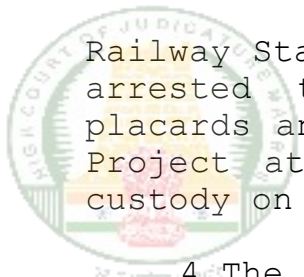
PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners / accused Nos.1,2,3,4 and 6, who were arrested on 15.04.2017, for the offences punishable under Sections 153 and 505(i)(b) of IPC and Section 7(1)(A) of Criminal Amendment Act, 2005, in Crime No.277 of 2017, on the file of the respondent police, seek bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) appearing for the respondent / Police.

3.The case of the prosecution is that on 15.04.2017, a special team was sent to Karur railway Station and boarded Palakkad-Trichy Passenger train and found the petitioners along with others incited the public to rebel against the Central and State Governments. Besides, the petitioners were intended to get down at Kulithalai



Railway Station and to go to Neduvasal. Hence, the respondent police arrested the petitioners and seized the musical instruments, placards and pamphlets written against installation of Hydro Carbon Project at Neduvasal and Rs.305/- and remanded them to judicial custody on the same day.

4.The learned counsel for the petitioners would submit that the petitioners are no way connected with the crime as alleged by the prosecution and they are innocent persons and without proper enquiry, they have been falsely implicated in this case.

5. The learned Government Advocate(Crl. Side) submitted that the investigation is going on and the petitioners have no previous cases.

6.Considering the facts and circumstances of the case and considering the gravity of offence said to have been committed by the petitioners, this Court is inclined to grant bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail subject to the following conditions:

(I) each of the petitioners shall execute 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 Judicial Magistrate No.II, Kulithalai;

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

(iii) the petitioners shall not abscond either during investigation or trial;

(iv)on breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005) AIR SCW 5560].

sd/-
17/05/2017

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.II, KULITHALAI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR.
3. THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
4. THE OFFICER INCHARGE, SPECIAL WOMEN PRISON, TRICHY.
5. THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION, KARUR DISTRICT.
6. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
7. THE OFFICER INCHARGE,
BORSTAL SCHOOL, ARIYALOR.

+2. CC to M/S.A.JAYARAMACHANDRAN Advocate SR.Nos.22076,22077.

+1. CC to M/S.N.A.PALANIYANDI, Advocate SR.No.22115

ORDER

IN

CRL OP (MD) No.5948 AND 5949
of 2017

Date : 17/05/2017

MS/PN/SAR.3/18.05.2017/3P.11C