



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

Thursday, the Second day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP (MD) No.656 of 2017

WEB COPY

- 1 MANOJ
- 2 MATHAN KUMAR
- 3 GANESAN
- 4 SETHURAMAN
- 5 ASHOK LAL
- 6 PANDIYARAJAN
- 7 PANDEESWARAN
- 8 KALAISELVI
- 9 SANGILIPANDI
- 10 SEKAR
- 11 POOVALINGAM
- 12 KARTHIKEYAN
- 13 MUTHUSAMY
- 14 MUTHUPANDI
- 15 MUTHUKALAI
- 16 RAMESH
- 17 CHINNAL
- 18 BASKARAN
- 19 PALANI
- 20 RAJENDRAN
- 21 JEYAPANDI
- 22 SELVARAJ
- 23 JEYAMARI
- 24 PACKIYARAJ
- 25 JEYAKUMAR
- 26 CHELLAPPAN

... PETITIONERS/ACCUSED NO.1 TO 26

Vs

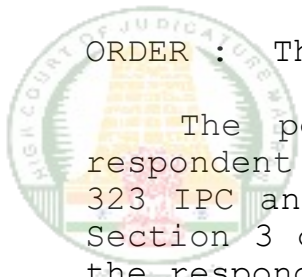
STATE REP.BY
THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT,
CR NO.18 OF 2017.

... RESPONDENT/COMPLAINANT(S)

For Petitioner : M/S.R.AYYANAR Advocate

For Respondent : MR.P.KANDASAMY Govt. Advocate (Crl. Side)

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



ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 147 and 323 IPC and Section 4 of Tamil Nadu Woman Harassment Act, 2002 and Section 3 of TNPPDL Act, 1992 in Crime No.18 of 2017 on the file of the respondent Police, seek anticipatory bail.

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2.The case of the prosecution is that during pongal festival, due to some dispute, the petitioners attacked the de facto complainant and also damaged the properties.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case.

4.The learned Government Advocate (Crl.side) submitted that totally there are 49 accused and the petitioners are arrayed as accused in this case and some of the accused namely, A4, A11 and A18 were arrested and enlarged on bail and injured person was discharged from the hospital.

5.Considering the facts and circumstances of the case and also taking note of the fact that no specific overt act attributed against these petitioners, I am inclined to grant anticipatory bail to the petitioners 1 to 3, 5 to 10, 12 to 17 and 19 to 26. Accordingly, the petitioners 1 to 3, 5 to 10, 12 to 17 and 19 to 26 are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Manamadurai, on condition that 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a]the petitioners 1 to 3, 5 to 10, 12 to 17 and 19 to 26 shall report before the respondent Police daily at 10.30 a.m. for a period of two weeks.

[b]the petitioners 1 to 3, 5 to 10, 12 to 17 and 19 to 26 shall not tamper with evidence or witness either during investigation or trial.

[c]the petitioners 1 to 3, 5 to 10, 12 to 17 and 19 to 26 shall not abscond either during investigation or trial.

[d]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 as if the conditions have been imposed and the petitioners released on bail by the learned 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).



6.This Criminal Original petition is dismissed as against the petitioners 4, 11 and 18 as they were already arrested and enlarged on bail.

sd/-
02/02/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE
MANAMADURAI.
 - 2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI, DISTRICT.
 - 3 THE INSPECTOR OF POLICE
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.R.AYYANAR Advocate SR.No.5852

ORDER
IN
CRL OP(MD) No.656 of 2017
Date :02/02/2017

AAM RSK SAR1 09.02.2017 3P 6C