



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

Monday, the Thirty First day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN

CRL OP (MD) No.9638 of 2017

JEYARAMAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
PANTHANALLUR POLICE STATION,
THANJAVUR DISTRICT.
CR.NO.127 OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.VENKATESAN Advocate

For Respondent : MR.A.RAMAR Additional Public Prosecutor

For Intervenor : MR.C.MUTHUSARAVANAN Advocate

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

ORDER : The Court Made the following order :-

The petitioner is arrayed as accused No.1, who was arrested and remanded to judicial custody on 01.07.2017 for the alleged offences punishable under Sections 147, 294(b), 341, 353, 506(i) and 505(1)(b) IPC r/w. Section 3(1) of TNPPDL Act, in Crime No.127 of 2017, on the file of the respondent police, seeks bail.

2.The above complaint was given by one A.M.R.Naiyar, Superintending Engineer, ONGC, alleging that on 30.06.2017, there was an oil leakage in the pipe line carrying crude oil and hence lot of villagers have made agitation against the leakage. When the team of officials of ONGC went to the place and tried to replace the damaged pipe line, the village people prevented them from doing so and deliberately damaged the pipelines and abused them with filthy language. The petitioner, along with others organized agitation and spread rumours against the Corporation and also preventing the officials from discharging their duties. Based on the above complaint, the respondent police registered a case against the petitioner, arrested him and remanded to judicial custody.

3.The learned counsel for the petitioner would submit that due to total negligence on the part of the officials of ONGC, there was a leakage in the pipeline carrying crude oil and no action was taken to stop the leakages. Therefore, the crude oil leaked out from



the pipe lines spread into the nearby agricultural lands causing damages and hence, the villagers conducted agitation against the negligent act of the complainant and the petitioner has also participated in the agitation. In the above circumstances, a false complaint has been given against the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner and other villagers have made agitation against the leakage of crude oil and they have also prevented the officials from discharging their duty. Apart from that yet another criminal case has also been registered against the petitioner. It is further submitted that investigation is pending.

5.Mr.C.Muthusaravanan, learned counsel appearing for the defacto complainant/intervenor submitted that because of the agitation made by petitioner, the ONGC is not in a position to seal the leakages and it caused huge loss to the ONGC and if the petitioner is released on bail, he will instigate the people, hence opposed the bail petition.

6.I have heard the rival submissions made on either side and perused the records carefully.

7.From the perusal of the material available on record it could be seen that there is a leakage in the pipeline carrying crude oil. According to the defacto complainant, the petitioner and others have damaged the pipeline. But the investigation so far does not reveal that only the people, caused damage to the pipeline. On the other hand, they were agitating against the leakage of crude oil, which spoils their agricultural land and also causing pollution. The petitioner and other villagers have sent several representations to the authorities concerned, but, no action has been taken by the ONGC. Hence, left with no other remedy, they are conducting agitation. Even though large number of people were agitating, the respondent police has targeted the petitioner and registered a case against him.

8.Considering the facts and circumstances of the case and as the petitioner and others conducted agitation only as against the leakage of crude oil from the pipe line, which caused damage to the nearby agricultural lands and also considering the fact that the petitioner is in judicial custody from 01.07.2017, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:

(i) the petitioner 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 Second Additional District Munisif cum Judicial Magistrate Court, Kumbakonam.

(ii) the petitioner shall report before the respondent police as and when required for interrogation.



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(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial.

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

sd/-

31/07/2017

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

TO

- 1 THE SECOND ADDITIONAL DISTRICT
MUNSIF CUM JUDICIAL MAGISTRATE COURT,
KUMBAKONAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHY.
- 4 THE INSPECTOR OF POLICE,
PANTHANALLUR POLICE STATION, THANJAVUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+2. CC to M/S.R.VENKATESAN Advocate SR.No.27597

+1. CC to M/S.C.MUTHUSARAVANAN Advocate SR.No.27642

ORDER

IN

CRL OP(MD) No.9638 of 2017

Date :31/07/2017

MKV-CM-MSA-SAR 4/1.8.2017/3P-9C