

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

Friday, the Twenty Third day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.7399 of 2017

1 SATHIK ALI,
2 YASAR ARAFATH,
3 MOHAMED RASHEED,
4 MOHAMED SHAKIN,
5 NIZAMUDEEN @ LOAD NIZAMUDEEN,
6 KALEEL RAHMAN,
7 MUJIBUR RAHMAN,
8 JALEEL
9 MOHAMED RIYAZ,
10 AYUB KHAN,
11 RAJA MOHAMED,
12 SYED SHAKKIN,
13 YASAR ARAFATH,
14 SATHIK,
15 MYDEEN @ POKKIRI MYDEEN,
16 HAJ MOHAMED, ... PETITIONERS / ACCUSED NOS.12,13,
14,16 TO 28

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.

(IN CRIME NO.371 OF 2017) ... RESPONDENT / COMPLAINANT

For Petitioners : M/S.S.M.A.JINNAH Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.12, 13, 14, 16 to 28, in Crime No.371 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, 148, 294(b), 152, 324, 336, 332, 307 of I.P.C., and Section 3(1) of TN Property (Prevention of Damage and Loss) Act, 1992 and hence, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent/State.

3. The case of the prosecution is that on 01.06.2017, there was a clash between two groups belonging to two different community people and in order to pacify the dispute, the de-facto complainant rushed to the place of occurrence. At that time, two groups creating problems and the de-facto complainant warned them through megaphone. Hence, the petitioners abused the police personnel and assaulted them indiscriminately by iron rod and damaged the two wheelers and the police personnel were sustained injury and hospitalized at Government Hospital, Cumbum.

4. The learned counsel for the petitioners would submit that one Loganathan and his men abused and assaulted the police personnel and damaged the vehicles, but the de-facto complainant lodged the false complaint against this petitioners.

5. The learned Additional Public Prosecutor would submit that police picketing is there as there is some tension prevailing in that area and hence, he sought for condition to comply from far away place.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 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, Uthamapalayam, Theni District and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall stay at Madurai and appear before All Women Police Station, Tallakulam, Madurai District, daily at 10.30 a.m., until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. 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/-
23/06/2017

/ TRUE COPY /

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

^{TO}
<https://hcservices.ecourts.gov.in/hcservices/>

1 THE JUDICIAL MAGISTRATE,
UTHAMAPALAYAM.
THENI DISTRICT

- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT
- 3 THE INSPECTOR OF POLICE,
CUMBUM NORTH POLICE STATION,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 5 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, TALLAKULAM,

IN
CRL OP(MD) No.7399 of 2017
Date :23/06/2017

AKV
SVA/PM/PN/29.06.2017/SAR4/3P/6C



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