



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

Friday, the Ninth day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL MP (MD) No.1805 of 2018

IN

CRL OP (MD) No.1359 of 2018

P.RAMACHANDRAN

... PETITIONER/DEFACTO COMPLAINANT

Vs

- 1 MUTHIRULAPPAN
- 2 ATHIMUTHU
- 3 GUNASEELAN
- 4 MUTHUSAMY
- 5 MUNIYASAMY
S/O MUTHUMUNIYANDI
- 6 BATHIMAJOTHI
- 7 SEKARAN
- 8 GNANASEKAR
- 9 MARIMUTHU
S/O SOLAI
- 10 RANJITH SING
- 11 MARIMUTHU
S/O JOTHI
- 12 SIVARAM GANDHI
- 13 MARICHAMY
- 14 MARIMUTHU
S/O MURUGESAN
- 15 MUNIYASAMY
S/O THIKKU VIJAYAN
- 16 JEYARAJ
- 17 MARISELVAM
- 18 GOBI
- 19 THAMILARASAN
- 20 AYYADURAI
- 21 PAKKIYAM
- 22 SATHAIAH
- 23 GURUSAMY
- 24 MATHU BARATHI
- 25 SELVAM
- 26 PITCHAIKANI
- 27 SIVAKUMAR
- 28 SASIKUMAR PANDIAN
- 29 APPARANI
- 30 GANESAN



31 MUTHUPANDI
32 VELMURUGAN
33 ALAGUVEL
34 CHITHIRAIPANDI

...RESPONDENTS 1 to 34/PETITIONERS

35 THE STATE REP BY
THE INSPECTOR OF POLICE
PERUNAZHI POLICE STATION,
PERUNAZHI, KAMUTHI TALUK,
RAMANATHAPURAM DISTRICT,
IN CRIME NO.5/2018

... RESPONDENT 35/RESPONDENT No.1

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to cancel the Anticipatory Bail granted to the Respondents 1 to 34/petitioners in CrI.O.P.(MD).No. 1359 of 2018 dated 30.01.2018 on the file of this Honourable Court

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.BHARATHI, Advocate for the petitioner and of MR.A.ROBINSON, Government Advocate (CrI.side) for the Respondent 35, the court made the following order:-

This petition has been filed by the petitioner/defacto complainant, prayed to cancel the anticipatory bail granted in favour of the respondents 1 to 34 by this Court, vide order dated 30.01.2018, made in CrI.O.P(MD)No.1359 of 2018.

2.The first and foremost contention raised by the learned counsel appearing for the petitioner/defacto complainant is that when at the time of granting anticipatory bail, this Court had directed the respondents 1 to 34 to report before the respondent police daily at 10.00 a.m for a period of three weeks, but they did not appear before the respondent police, after executing the bail bond before the Magistrate concerned, as per order passed by this Court in CrI.O.P.(MD).No.1359 of 2018.

3.On the other hand, the learned Government Advocate (CrI.Side) appearing for the State submitted that the case has been registered against the respondents 1 to 34 for the offences punishable under Sections 147, 448, 427 and 506(i) I.P.C., on the file of the 35th respondent. He further added that so far the above said offences are not altered. Thereby, in the above said offences, except Section 506(i) I.P.C., all other offences are bailable in nature.

4.Considering the submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side), the competent person, viz., the respondent police/35th respondent in CrI.O.P(MD).No.1359 of 2018 has to say whether the



respondents 1 to 34 are complied with the condition or not and not by the defacto complainant.

5. So, considering the nature of offence committed by the respondents, even though the condition imposed by this Court is not complied by the respondents, this is not a fit case for cancelling the anticipatory bail. Accordingly, this application is not maintainable.

6. In the result, the Criminal Miscellaneous Petition is dismissed.

sd/-
09/03/2018

/ TRUE COPY /

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

TO

TO

- 1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, KAMUTHI,
RAMANATHAPURAM DISTRICT
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT
 - 3 THE INSPECTOR OF POLICE
PERUNAZHI POLICE STATION, PERUNAZHI,
KAMUTHI TALUK, RAMANATHAPURAM DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. C.C. to M/S.S.BHARATHI Advocate SR.No.3824

ORDER
IN
CRL MP (MD) No.1805 of 2018
IN
CRL OP (MD) No.1359 of 2018
Date : 09/03/2018