



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

Thursday, the First day of February Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.1564 of 2018

1 BADMANABAN,
2 MANMADHAN,
3 KUTTI MANI,
4 VETRIVEL,
5 KALIVEL,
6 SULTHAN,
7 MUNIYASAMI,
8 ULAGANATHAN,
9 RAMACHANDIRAN,
10 SONAIMUTHU,
11 NAGARAJ,
12 JEYAKANTHAN,

... PETITIONERS/ACCUSED No.2 to 13

Vs

STATE REP BY THE
INSPECTOR OF POLICE,
RAMESWARAM KOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.3/2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.R.ALAGUMANI Advocate
For Respondent : MR.A.ROBINSON, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/A2 to A13, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 447, 294(b) and 506(i) I.P.C., in Crime No.03 of 2018, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 25.01.2018, the petitioners have entered into the defacto complainant's Madam, in which, he is the Manager of the Sankarachariyar Swamy Madam, conducted agitation, and used abusive words against the defacto complainant. Hence, the defacto complainant lodged a complaint against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons. They have not committed



any offence as alleged by the prosecution. They have been falsely implicated in this case. Hence, he prays for anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that investigation is still pending in this case.

5. Considering the submissions made by the learned counsels on either side, it discloses that during the time of occurrence the petitioners herein unlawfully entered into the defacto complainant's Madam and committed this offence. On go through the F.I.R Copy, except 506(i) I.P.C., all other petition mentioned offences are bailable in nature. Hence, Considering the nature of offence committed by the petitioners, custodial interrogation of the petitioners is not necessary for completing the investigation. Therefore, for the reasons stated above, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions. Accordingly, they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rameshwaram, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the respondent Police daily at 10.00 a.m. for a period of three weeks, thereafter, as and when required for interrogation.

(ii) the petitioners shall not tamper with 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 anticipatory bail granted to the petitioners shall stand automatically cancelled and 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]**.

sd/-

01/02/2018

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



1 THE JUDICIAL MAGISTRATE,
RAMESHWARAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE,
RAMESWARAM KOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.1779

ORDER
IN
CRL OP (MD) No.1564 of 2018
Date :01/02/2018

SMA/RR-CSL/SAR-4/12.02.2018:3P/6c