



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

Friday, the Twenty Third day of March Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.4604 of 2018

1 SANKARRAMAN @ SANKAR
2 AYYAPPAN
3 SENTHILKUMAR

... PETITIONERS/ACCUSED NOS.2,5 & 7

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO. 13/2018

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.R.A.RAMACHANDHRAN 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, A5 & A7, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 294(b), 506(ii) I.P.C and Section 3(1) of TNPPDL Act, in Crime No.13 of 2018, seek anticipatory bail.

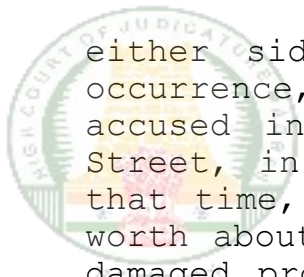
2.The case of the prosecution is that due to communal clash, the petitioner and 45 other accused in this case had unlawfully entered into the Opilapuram Street, and damaged the properties, worth about Rs.1,00,000/-. Hence, a case has been registered for the above said offences.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have been falsely implicated in this case, they have not committed any offence as alleged, and pleads for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Criminal Side) appearing for the State submitted that investigation is still pending.

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5.The submissions made by the learned counsel appearing on



either side are considered. It is alleged, during the time of occurrence, due to communal clash, the petitioner and 45 other accused in this case had unlawfully entered into the Opilapuram Street, in which, the defacto complainant is having the house. At that time, the petitioner and other accused damaged many vehicles, worth about Rs.1,00,000/-. According to prosecution, as of now, the damaged properties have been recovered. So, considering the nature of offence committed by the petitioners, custodial interrogation of the petitioners may not be necessary for completing the investigation, hence, this Court is inclined to grant anticipatory bail to the petitioners. 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, Cheranmahadevi, 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 Attayampatti Police Station, Salem District daily at 10.00 a.m until further orders.

(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/-
23/03/2018

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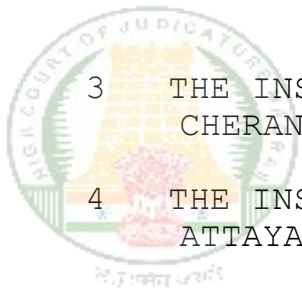
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE, CHERANMAHADEVI, TIRUNELVELI DISTRICT.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.



3 THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION, TIRUNELVELI DISTRICT.

4 THE INSPECTOR OF POLICE,
ATTAYAMPATTI POLICE STATION, SALEM DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.R.A.RAMACHANDHRAN Advocate SR.No.4703

MSA

CSL/RR/SAR-I/03.04.2018 :3P/7C

ORDER

IN

CRL OP(MD) No.4604 of 2018

Date :23/03/2018