



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

Wednesday, the Twenty Fifth day of April Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.6706 of 2018

PERIYASAMY ALIAS CATTERING SAMY

... PETITIONER / ACCUSED
Rank Not Known

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT
CR NO. 140/2018

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.A.THIRUVADI KUMAR Advocate

For Respondent : Mr.A.ROBINSON, Govt. Advocate (Crl. Side)

For Intervenor : Mr.SATHISH PARASARAN Senior counsel for
Mr.T.LENIN KUMAR, Advocate in CRL MP(MD)No.3324/18

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 506(ii) I.P.C, Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and Section 3 of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992, in Crime No.140 of 2018, seeks anticipatory bail.

2.Mr.Sathish Parasaran, learned Senior Counsel appearing for the intervenor strongly opposed the grant of anticipatory bail in favour of the petitioner. He pointed out that as a result of violation committed in the instant case, young children were grievously injured.

3.This Court posed a question to the learned counsel for the petitioner as to whether the petitioner after getting anticipatory bail, within a week he will file an affidavit of undertaking before the Jurisdictional Magistrate Court that he would not indulge in any act of violence.

4.This Court makes it clear that the petitioner would be entitled to legally protest. But he can not engage in any violence



against the activities of Sterlite Company.

5.The learned counsel for the petitioner fairly submitted that the petitioner would file an affidavit of undertaking within a week after getting anticipatory bail.

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6.Recording the said undertaking, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.III, Thoothukudi, and on his executing 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 Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner 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 shall stand dismissed.

sd/-
25/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III
THOOTHUKUDI
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI
- 3 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI, THOOTHUKUDI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.7094
MSA
JAM/27/04/2018/ PN/VK/ 2P-6C