



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

Wednesday, the Twenty Fifth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.6711 of 2018

1 PRABHU
2 TAMILSELVAN
3 VALAVETTI @ MUTHU
4 SELVAKUMAR
5 M. SELVAN
6 MOORTHY

... PETITIONER / ACCUSED No.1 to 6

Vs

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

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.THIRUVADI KUMAR Advocate

For Respondent : M/S. A.P.G.OHM CHAIRMA PRABHU,
Govt. Advocate (Crl. Side)

For Intervenor : M/S.SATHISH PARASURAM, Senior Counsel
for M/S.LENINKUMAR, for Intervenor.

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners are arrayed as Accused Nos. 1 to 6. They were arrested and remanded to judicial custody on 13.04.2018, 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, on the file of the respondent police. They seek bail.

2.Mr.Sathish Parasaran, learned Senior Counsel appearing for the intervenor strongly opposed the grant of bail in favour of the petitioners. 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 petitioners as to whether the petitioners after coming out on bail within a week they will file an affidavit of undertaking before the Jurisdictional Magistrate Court that they would not indulge in any act of violence.

4.This Court makes it clear that the petitioners would be entitled to legally protest. But they can not engage in any violence against the activities of Sterlite Company.

5.The learned counsel for the petitioners fairly submitted that the petitioners would file an affidavit of undertaking within a week after coming out on bail.

6.Recording the said undertaking, this Court is inclined to grant bail with certain conditions. Accordingly, the petitioners are ordered to be released on bail, subject to the following conditions;

(i) the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) two common sureties for a like sum to the satisfaction of the learned Judicial Magistrate, No.III, Thoothukudi.

(ii)the petitioners are directed to appear before the respondent police as and when required for interrogation.

(iii)on breach of any of the aforesaid conditions, the 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 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/-

25/04/2018

/ TRUE COPY /

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

TO

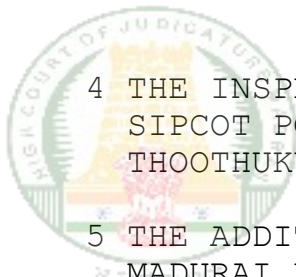
1 THE JUDICIAL MAGISTRATE NO.III,
THOOTHUKUDI.

2 DO THROUGH THE CHEIF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE OFFICER IN CHARGE,
DISTRICT JAIL,

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

PERCOURANT.



4 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

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

WEB COPY

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.7091.

ORDER

IN

CRL OP (MD) No.6711 of 2018

Date :25/04/2018

SDS/CM:VR/RNB/25.04.2018/3P/7C