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

Wednesday, the Ninth day of May Two Thousand Eighteen

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD) No.7754 of 2018

1 A.MUTHU
2 L.SUBBIAH
3 A.SEVUGAN
4 M.SEKKAPPAN
5 R.MAHESH
6 M.MARUTHU ... PETITIONERS/ACCUSED 1 to 6

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
NERKUPPAI POLICE STATION,
THIRUPPATHUR TALUK
SIVAGANGAI DISTRICT
(CRIME NO.21 OF 2018) ... RESPONDENT/ COMPLAINANT

For Petitioners : M/S.S.PAKALAVAN Advocate

For Respondent : MR.K.SUYMABULINGA BHARATHI,
Government Advocate(Crl.side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent Police for the offence punishable under Sections 143, 188 of I.P.C and 11(a) Cruelty to Animal Act, in Crime No.21 of 2018, on the file of the respondent Police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had conducted Jallikattu Function without permission from the appropriate authorities and subjected the bulls to cruelty.

3.The learned counsel for the petitioners submitted that the petitioners conducted only Chithirai Festival in the Muranikkalam "Arulmigu Muranikattu Ayyanar Temple", in which poojas were held for the bulls and not conducted Jallikattu and that the petitioners are innocent persons and they have been falsely implicated in this case.

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4.The learned Government Advocate (Crl. side) appearing for the

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respondent Police, on instructions, would submit that the defacto complainant, who is the Village Administrative Officer, lodged a complaint against the petitioners and due to the negligent act of the petitioners, one person was died.

5.Considering the facts and circumstances of the case and also taking note of the statement that only worship was conducted in the temple, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Thiruppathur, Sivagangai District, on condition that each of the petitioners shall execute 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 respondent Police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police daily, at 10.30 a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d]on breach of any of the aforesaid conditions, 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/-
09/05/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPATHUR, SIVAGANGAI DISTRICT

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2 THE CHIEF JUDICIAL MAGISTRATE
SIVAGANGAI DISTRICT

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3 THE INSPECTOR OF POLICE
NERKUPPAI POLICE STATION, THIRUPPATHUR TALUK,
SIVAGANGAI DISTRICT

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

+1. CC to M/S.S.PAKALAVAN Advocate SR.No.8306

ORDER
IN
CRL OP(MD) No.7754 of 2018
Date :09/05/2018

SMA/CM/VK/11.05.2018:3P/6C

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