



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

Tuesday, the Fifth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.8272 of 2018

1 A.SHEIK THAVUTHU

2 M.IMITHYASH

... PETITIONERS/ ACCUSED NO.1 & 5
Vs

STATE REP.BY

THE SUB INSPECTOR OF POLICE

KEELAKARAI POLICE STATION,

RAMNAD DISTRICT.

(CRIME NO.46 OF 2018)

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.R.VENKATESAN, Advocate

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

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

ORDER : The Court Made the following order :-

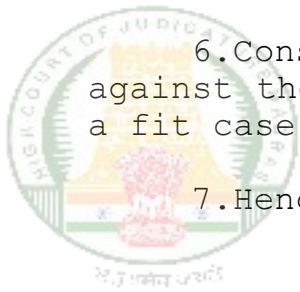
The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under Section 153A, 120(b) of I.P.C and Section 15, 17,18,19 and 20 of Unlawful Activities (Prevention) Act, 1967 and 25(i)(a) of Arms Act, 1959, in Crime No.46 of 2018, seek anticipatory bail.

2.Heard the learned counsel on either side.

3.The case of the police is that the accused herein were conspiring to disturb the communal amity. They were also mobilizing funds for waging war against the State. There are totally 10 accused in this case. Out of them, 6 persons have already been arrested. Two have detained under the National Security Act. The case against the petitioners involve offences under Unlawful Activities (Prevention) Act, 1967.

4.Even bail can be granted, only if the Court can record a finding that there is no prima facie case against the accused. But, in the present case, there are materials against the petitioners. Investigation is still at an early stage.

5.As regards the first petitioner, this Court had already dismissed his application for grant of anticipatory bail on 26.04.2018 in Crl.O.P(MD).No.6694 of 2018. There are no change in circumstances. This is a matter concerning public interest and also national security.



6.Considering the serious nature of the allegations made against the petitioners, this Court is of the view that this is not a fit case for granting of anticipatory bail.

7.Hence, the Criminal Original Petition is dismissed.

sd/-
05/06/2018

WEB COPY

/ TRUE COPY /

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

TO

- 1 THE SUB INSPECTOR OF POLICE
KEELAKARAI POLICE STATION, RAMNAD DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.8272 of 2018
Date :05/06/2018

MS/PN/RNB/18.06.2018/2P.3C