



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

Friday, the Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.21829 of 2018

SR.PRAGASI

... PETITIONER

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION,
RAMANATHAPURAM.

... RESPONDENT

For Petitioner : Mr.L.P.MAURYA, Advocate
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

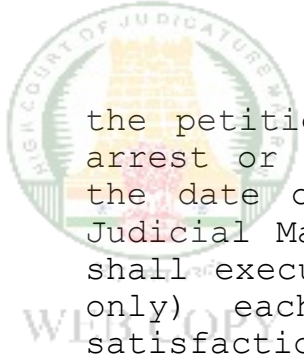
ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offence punishable under Sections 323, 505(ii) of IPC and Section 75 of JJ Act, 2015 in Crime No.81 of 2018, seeks anticipatory bail.

2.The petitioner is the correspondent and principal of the school which is running for more than 30 years. When the petitioner was conducting visit in the school ground, about 50 persons belonged to Hindu Munnani and VHP forcibly trespassed into the school premises and scolded against the Christian faith. Further, they raised slogans against the school management for their compulsion among the students to wear shoe during the holy fasting month, and threatened with dire consequences. Hence the petitioner herein had filed a complaint against the defacto complainant herein.

3.The learned counsel for the petitioner submitted that the petitioner herein made complaint earlier against the some persons and as a counter case, this false case has been filed against the petitioner with false and baseless allegations. This Court had granted anticipatory bail to the persons in the counter case in Crl.O.P. (MD) No.21588 of 2018.

4.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly,



the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rameshwaram, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] if the petitioners fail to surrender before the concerned Magistrate within a period of fifteen days, this order shall stand automatically cancelled without any reference to the Court.

[b] the petitioners shall report before the respondent police as and when required for interrogation.

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

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

[e] 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

07/12/2018

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, RAMESHWARAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE,
PAMBAN POLICE STATION, RAMANATHAPURAM.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.L.P.MAURYA Advocate SR.No.22892

ORDER IN

CRL OP(MD) No.21829 of 2018

Date :07/12/2018