



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

Saturday, the Eleventh day of August Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.14108 of 2018

1 KAN.ILANGO
2 N.P.SENTHIL

... PETITIONERS/ACCUSED No.1 & 2

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
RAMESHWARAM TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
IN CR NO. 136 OF 2018

... RESPONDENTS/COMPLAINANT

For Petitioners : MR.A.RAMALINGAM Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 353, 341 I.P.C and Section 3(1) of TNPPDL Act, in Crime No.136 of 2018, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Commissioner of Rameshwaram Municipality. On 03.08.2018, the defacto complainant indulged in acquisition and measures the land for establishing a bus stand at Agni Theertham sea shore in pursuance of the Swethesh Dharsan Scheme. At that time, the petitioners and others said to have restrained the defacto complainant from carrying their works. They incurred a sum of Rs.9,000/- loss in account of the salary to the labours. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons. They are the auto drivers and they have pointed out the irregularities and the violation in the scheme and they have not caused any damages as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that there are 17 previous cases are pending



against the first petitioner and there is no previous case is pending against the second petitioner.

5. Taking note of the bad antecedents of the first petitioner, this Court is not inclined to grant anticipatory bail to the first petitioner. Accordingly, this Criminal Original Petition is dismissed as far as the first petitioner is concerned.

6. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions. Accordingly, the second petitioner is directed to deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime No.136 of 2018 before the learned Judicial Magistrate, Rameshwaram and on such deposit, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Rameshwaram 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 second petitioner shall report before the respondent police daily at 10.30 a.m until further orders. The second petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The second 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/-
11/08/2018

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

TO

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

+1. CC to MR.C.SENTHIL MURUGAN, Advocate SR.No.15601

ORDER IN
CRL OP (MD) No.14108 of 2018
Date : 11/08/2018