



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

Friday, the Thirteenth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.11758 of 2018

1 L.MUNIYASAMY
2 S.MURUGAN
3 P.NAGARAJ
4 G.GOWTHAM
5 G.MOOVENDRAN
6 G.KARIKALAN
7 M.PRATHAP
8 K.MURALI
9 S.SHANMUGARAJ
10 S.KARTHI
11 S.RAMESH
12 M.DAVID @ VIJAYAKUMAR
13 S.KARUPPAIAH
14 M.MUKESH KANNAN
15 S.KALIDHAS
16 V.SUBBU
17 M.NAGARAJ

... PETITIONERS/ACCUSED No.1 to 17

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT
CRIME NO. 183 OF 2018

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.SENTHIL MURUGAN Advocate

For Respondent : MR.A.ROBINSON, Govt. 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 Sections 147, 148, 294(b), 323, 324 and 506(ii) I.P.C., in Crime No.183 of 2018, seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal side) appearing for the respondent.



3.The first petitioner L.Muniyasamy is not an accused in this case. Therefore, this Criminal Original Petition is closed as regards the first petitioner is concerned.

4.The second petitioner S.Murugan is having one previous case. Therefore, this Criminal Original Petition is dismissed as regards the second petitioner is concerned.

5.Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners 3 to 17 with certain conditions. Accordingly, the petitioners 3 to 17 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Ramanathapuram and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 3 to 17 shall appear before the respondent police as and when required for interrogation. The petitioners 3 to 17 shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6.The petitioners 3 to 17 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.

7.In respect of Crime No.183 of 2018, two Criminal Original Petitions came to be filed. CrI OP(MD)No.11758 of 2018 is filed through the counsel Mr.C.Senthil Murugan and another CrI.O.P(MD). No.11681 of 2018 is filed through Mr.R.Murugan. This Court was having doubt as to which vakalath is genuine one. Today, the petitioners appeared before me in person and stated in unison that they engaged Advocate Mr.A.Suresh Kumar, (Enrollment No.3132/2015). Through Mr.Suresh Kumar, Mr.C.Senthil Murugan was engaged in CrI.O.P(MD).No.11758 of 2018. They have categorically affirmed before me that Mr.Shanmuganathan, Advocate was not engaged by them. They disowned the signatures attributed to them in the memo of appearance in CrI.O.P(MD).No.11681 of 2018. Mr.S.Shanmuganathan is also counsel on record. All the petitioners have categorically affirmed that they did not engage Shanmuganathan and they have not signed in the memo of appearance. This statement was made in the presence of Mr.Murugan. Mr.Murugan fairly stated that he filed the CrI.O.P(MD).No.11681 of 2018 only on instruction given by Mr.Shanmuganathan only.

sd/-

13/07/2018

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE NO.II, RAMANATHAPURAM

2 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
KENIKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT

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

+1. CC to M/S.C.SENTHIL MURUGAN Advocate SR.No.13010

ORDER

IN

CRL OP(MD) No.11758 of 2018

Date :13/07/2018

SMA/RR/SAR-1/20.07.2018:2P/6c