



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

Friday, the Twenty Seventh day of July Two Thousand Eighteen
PRESENT

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

WEB COPY

Crl.O.P. (MD) Nos.13360 to 13383 of 2018

PARIYERUM PERUMAL @ PERUMAL

... PETITIONER / ACCUSED
(RANK NOT KNOWN)
IN ALL THE PETITIONS

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI,
THOOTHKUDI DISTRICT.

... RESPONDENT / COMPLAINANT
IN ALL THE PETITIONS

IN CRIME NO.194 OF 2018
IN CRIME NO.195 OF 2018
IN CRIME NO.196 OF 2018
IN CRIME NO.197 OF 2018
IN CRIME NO.198 OF 2018
IN CRIME NO.207 OF 2018
IN CRIME NO.227 OF 2018
IN CRIME NO.228 OF 2018
IN CRIME NO.229 OF 2018
IN CRIME NO.230 OF 2018
IN CRIME NO.231 OF 2018
IN CRIME NO.232 OF 2018
IN CRIME NO.233 OF 2018
IN CRIME NO.234 OF 2018
IN CRIME NO.235 OF 2018
IN CRIME NO.236 OF 2018
IN CRIME NO.237 OF 2018
IN CRIME NO.238 OF 2018
IN CRIME NO.239 OF 2018
IN CRIME NO.240 OF 2018
IN CRIME NO.241 OF 2018
IN CRIME NO.244 OF 2018
IN CRIME NO.260 OF 2018
IN CRIME NO.279 OF 2018

... CRL OP (MD) NO.13360 OF 2018
... CRL OP (MD) NO.13361 OF 2018
... CRL OP (MD) NO.13362 OF 2018
... CRL OP (MD) NO.13363 OF 2018
... CRL OP (MD) NO.13364 OF 2018
... CRL OP (MD) NO.13365 OF 2018
... CRL OP (MD) NO.13366 OF 2018
... CRL OP (MD) NO.13367 OF 2018
... CRL OP (MD) NO.13368 OF 2018
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... CRL OP (MD) NO.13375 OF 2018
... CRL OP (MD) NO.13376 OF 2018
... CRL OP (MD) NO.13377 OF 2018
... CRL OP (MD) NO.13378 OF 2018
... CRL OP (MD) NO.13379 OF 2018
... CRL OP (MD) NO.13380 OF 2018
... CRL OP (MD) NO.13381 OF 2018
... CRL OP (MD) NO.13382 OF 2018
... CRL OP (MD) NO.13383 OF 2018

For Petitioner : Mr.A.THIRUVADI KUMAR, Advocate
in all the petitions

For Respondent : Mr.CHELLAPANDIAN, Additional Advocate General
assisted by
Mr.A.ROBINSON, Government Advocate (Crl.Side)
in all the petitions



PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner viz., Pariyerum Perumal @ Perumal is in custody since 12.06.2018 for the offences under Sections 147, 148, 188, 353, 436 and 506 (ii) of I.P.C. and Section 3 and 4 of TNPPDL Act in Crime Nos.194 to 198, 207, 227 to 241, 244, 260 and 279 of 2018 on the file of the respondent Police. The petitioner has been implicated in cases pertaining to anti sterlite protest. He seeks bail.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent.

3.The learned counsel appearing for the petitioner submits that the petitioner has suffered injuries during the Police assault and that he was in hospital and the Government granted compensation to him to a tune of Rs.1,50,000/- and these facts are not in dispute.

4.The petitioner has been implicated in a large number of cases. It appears that he continues to be implicated based on the confession statements that are being received. Probably, that is why the bail petitions already filed are still kept pending before the learned Sessions Judge. Notwithstanding the pendency of the bail petitions before the court below, this Court permitted the petitioner to move this Court directly. This Court is of the view that in the interest of justice, the petitioner need not file separate bail petitions. Admittedly, all the cases are interconnected and pertain to the anti sterlite protests.

5.This Court is of the view that the continued incarceration of the petitioner is not going to serve any purpose. The petitioner is also not found to have been involved in any case prior to this. Therefore, this Court grants bail to the petitioner. The petitioner shall execute a bond for a sum of Rs.10,000/- with two common sureties which would cover all the cases in which the petitioner stands implicated. At the time of execution of sureties, the prosecution is directed to give a list of cases in which the petitioner is arrested. The Jurisdictional Magistrate shall issue a common release order. The prison authorities are directed to release the petitioner on receipt of such release order from the Jurisdictional Magistrate. It is not the case of prosecution that the petitioner is wanted in connection with any other cases not connected to anti sterlite protests.

6.It is further directed that if the police seek to implicate the petitioner in any more cases, they will issue notice under Section 41 A Cr.P.C., so that the petitioner will have breathing time to approach this Court for anticipatory bail, if needed.



7. Considering the above facts and circumstances, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions:-

(i). the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common sureties covering all the cases in which he has been so far implicated, each for a like sum to the satisfaction of the learned Judicial Magistrate No.III, Thoothukudi.

(ii). the petitioner shall not take part in any agitation in connection with sterlite for the next 90 days;

(iii). the petitioner is directed to appear before the respondent police as and when required for interrogation. The petitioner shall not abscond.

(iv). On breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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/-

27/07/2018

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

TO

1. THE JUDICIAL MAGISTRATE NO.III, THOOTHKUDI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHKUDI DISTRICT.
3. THE INSPECTOR OF POLICE, SIPCOT POLICE STATION,
THOOTHUKUDI, THOOTHKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
5. THE SUPERINTENDENT, CENTRAL PRISON, PALAYMKOTTAI.

+1CC TO Mr.Mr.A.THIRUVADI KUMAR, Advocate, SR NO.14228

ORDER IN

Cr1.O.P.(MD)Nos.13360 to 13383 of 2018

Date :27/07/2018