



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

Thursday, the Thirtieth day of August Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.13607 to 13610 of 2018

E. ATHISAYA KUMAR

... PETITIONER / ACCUSED NO.1
IN ALL THE PETITIONS

Vs

1 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 147 OF 2018)

... RESPONDENT / COMPLAINANT
CRL OP(MD)NO.13607 OF 2018

2 THE INSPECTOR OF POLICE
PUTHUKOTTAI POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 118 OF 2018)

... RESPONDENT / COMPLAINANT
CRL OP(MD)NO.13608 OF 2018

3 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 270 OF 2018)

... RESPONDENT / COMPLAINANT
CRL OP(MD)NO.13609 OF 2018

4 THE INSPECTOR OF POLICE
SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT
(CRIME NO. 297 OF 2018)

... RESPONDENT / COMPLAINANT
CRL OP(MD)NO.13610 OF 2018

For Petitioner : Mr.HENRI TIPHAGNE Advocate
IN ALL THE PETITIONS

For Respondent : Mr.CHELLAPANDIAN Additional Advocate General
Assisted by A.ROBINSON Govt. Advocate (CrI. Side)
IN ALL THE PETITIONS

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



ORDER : The Court Made the following order :-

The petitioner has filed these Criminal Original Petitions apprehending arrest at the hands of the respondent police for the offences punishable under Sections 143, 147, 341, 294(b) and 506(ii) I.P.C and 143, 188 and Sections 147, 148, 188, 436 I.P.C, Sections 3 and 4 of Tamil Nadu Public Property (Prevention of Damages and Loss) Act, 1992 I.P.C and Sections 143, 188, 353 I.P.C in Crime Nos. 147, 118, 270 and 297 of 2018 respectively. He seeks anticipatory bail.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the State.

3.It is seen that there is no specific overt act is attributed against the petitioner herein in CrI.O.P(MD).Nos.13608, 13609 and 13610 of 2018. Hence, this Court is inclined to grant anticipatory bail to these Criminal Original Petitions.

4.In CrI.O.P.(MD).No.13607 of 2018, the learned Additional Advocate General has showed a video clippings, in which, the petitioner along with few others have blocked the movement of the lorry going towards Sterlite Company. This Court went through the contents of the First Information Report. It is seen that the defacto complainant alleges only unlawful obstruction on the part of the petitioner. The petitioner is not alleged to have indulged in an act of violence. Taking note of all these aspects, this Court is inclined to grant anticipatory bail to the petitioner in this Criminal Original Petition also.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the concerned learned Judicial Magistrate, Thoothukudi viz., (learned Judicial Magistrate Nos.I or III as the case may be) and on his 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 petitioner shall appear before the respondent police as and when required for interrogation. It is clarified that the same sureties can be furnished for all these cases of the petitioner.

6.The petitioner shall not indulge in Anti sterlite protest till the filing of the final report in their respective cases and he should not cause any law and order problem. The petitioner in all these cases shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7.The 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.

<https://hcservices.ecourts.gov.in/hcservices/>

8.If the prosecution intends to implicate the petitioner in any



other case, the prosecution shall give notice under Section 41 A of Cr.P.C so as to give breathing time to the petitioner to move this Court for anticipatory bail.

sd/-
30/08/2018

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/ TRUE COPY /

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

MSA

TO

- 1 THE JUDICIAL MAGISTRATE NO-I, THOOTHUKUDI.
- 2 THE JUDICIAL MAGISTRATE NO-II, THOOTHUKUDI.
- 3 THE JUDICIAL MAGISTRATE NO-III, THOOTHUKUDI.
- 4 THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 5 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI DISTRICT.
- 6 THE INSPECTOR OF POLICE
PUTHUKOTTAI POLICE STATION, THOOTHUKUDI DISTRICT.
- 7 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, THOOTHUKUDI DISTRICT.
- 8 THE INSPECTOR OF POLICE
SOUTH POLICE STATION, THOOTHUKUDI DISTRICT.
- 9 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.R.KARUNANIDHI Advocate SR.No.14568
+1. CC to Mr.R.KARUNANIDHI Advocate SR.No.14567
+1. CC to Mr.R.KARUNANIDHI Advocate SR.No.14566
+1. CC to Mr.R.KARUNANIDHI Advocate SR.No.14565

PS/VR-MMS/SAR-1:11/08/2018:3P/14C

ORDER
IN
CRL OP (MD) No.13607 of 2018
Date : 30/08/2018