



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

Wednesday, the Fourteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.20328 of 2018

1 VINOTH
2 SURULI
3 MANIKANDAN
4 ARUMUGAM @ KALAGAPULI
5 MUGESH KANNAN
6 CHANDRAMOHAN
7 VIVEK
8 KALAISELVAN
9 KAVILPALAN
10 SATHISH

... PETITIONERS/ ACCUSED NO.3,5 TO 13

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
NAINARKOVIL POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.119/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.M.S.JEYAKARTHIK, Advocate

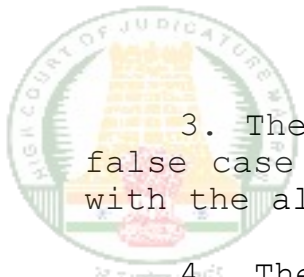
For Respondent : Mr.K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners in both petitions apprehending arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 & 506(ii) of IPC and Section 4 of TNPHW Act and Section 3 of TNPPDL Act in Cr.No.119 of 2018 seek anticipatory bail.

2.The case of the prosecution is that there was a dispute arose between the defacto complainant and the petitioners in bursting crackers on Deepavali Festival. At that time, the petitioners abused the defacto complainant with filthy languages and assaulted him with wooden log and damaged his two wheeler to the tune of RS.3,000/- . Hence, the case has been registered.



3. The learned counsel for the petitioners would submit that a false case has been foisted against them and they had nothing to do with the alleged offences.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners caused damages to the tune of Rs.3,000/-.

5. Taking into consideration the facts of the case and the facts that the injured person in this case has been discharge from the hospital, this Court inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, 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 said Magistrate, on further condition that:

[a] The petitioners shall deposit a sum of Rs.3,000/- (Rupees Three Thousand only) to the credit of the crime number before the concerned Judicial Magistrate Court.

[b] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of one week and thereafter as and when required for interrogation.

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

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

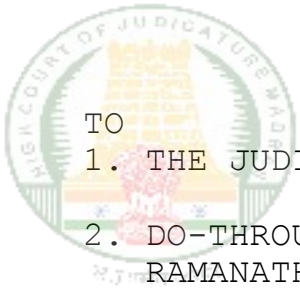
[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
14/11/2018

/ TRUE COPY /

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



TO

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

+1. CC to Mr.M.S.JEYAKARTHIK Advocate SR.No.21624

ORDER

IN

CRL OP (MD) No.20328 of 2018

Date :14/11/2018

MS/VR-MMS/SAR-2/19.11.2018/3P.6C