



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

Tuesday, the Twentieth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.20636 of 2018

1 AVAYAN
2 KULANTHAI SAMY
3 MANJAMALAI
4 CHELLA DURAI
5 REVATHY
6 PRABHU
7 GOVINDHAN
8 MAHESH
9 RAJ @ RAJU
10 ALANGARAM
11 BASKARAN
12 PANCHAVARNAM
13 POOMA DEVI
14 DAIVANAI
15 BOOPATHI

... PETITIONERS /
ACCUSED NO.1,5,7 TO 19

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.281/2018

... RESPONDENT / COMPLAINANT

For Petitioners: Mr.S.S.ANNADURAI Advocate

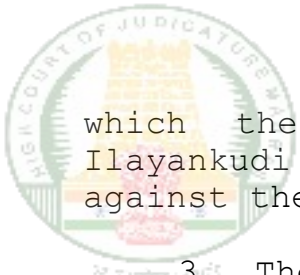
For Respondent : Mr.M.ASOKAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 294(b), 353 and 506(ii) of IPC in Crime No.281 of 2018, seek anticipatory bail.

2. The case of the prosecution is that there seems to be a dispute between the sub-sects of community with regard to the land in Sy.No.65/37 and also with regard to worshipping of deity, for



which the petitioners have approached the Deputy Tahsildar, Ilayankudi Taluk and conducted a dharna by raising abusive slogans against the Deputy Tahsildar.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have nothing to do with the alleged crime. He would further submit that civil suits are pending between two groups. Hence, anticipatory bail may be granted to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that investigation is almost over.

5. Considering the nature of the offence, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions;

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Ilayankudi on condition that the petitioners shall each execute 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;

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

[b] the petitioners shall report before the respondent Police as and when required for interrogation;

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

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

[e] 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]**.

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

sd/-
20/11/2018

/ TRUE COPY /

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



TO

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

+1. CC to MR.S.S.ANNADURAI Advocate SR.No.21882

ORDER

IN

CRL OP (MD) No.20636 of 2018

Date :20/11/2018

JM/PN/SAR-1/29.11.2018/3P.6C