



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

Thursday, the Fifth day of July Two Thousand Eighteen

PRESENT

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

CRL OP(MD) Nos.11355 to 11363 of 2018

S.VANCHINATHAN

... PETITIONER/ ACCUSED RANK NO.7
(IN CR.NO.190 OF 2018 AND ACCUSED
RANK NOT KNOWN IN OTHER CR.NOS)
IN ALL THE PETITIONS

Vs

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

... RESPONDENT/ COMPLAINANT
IN ALL THE PETITIONS

CRIME NO.190 OF 2018	IN CRL OP(MD) No.11355 of 2018
CRIME NO.317 OF 2018	IN CRL OP(MD) No.11356 of 2018
CRIME NO.318 OF 2018	IN CRL OP(MD) No.11357 of 2018
CRIME NO.319 OF 2018	IN CRL OP(MD) No.11358 of 2018
CRIME NO.320 OF 2018	IN CRL OP(MD) No.11359 of 2018
CRIME NO.321 OF 2018	IN CRL OP(MD) No.11360 of 2018
CRIME NO.322 OF 2018	IN CRL OP(MD) No.11361 of 2018
CRIME NO.323 OF 2018	IN CRL OP(MD) No.11362 of 2018
CRIME NO.326 OF 2018	IN CRL OP(MD) No.11363 of 2018

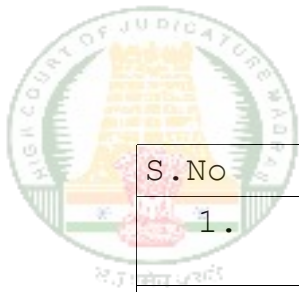
For Petitioner : Mr.AJMALKHAN, Senior Counsel for
Mr.A.JOHN VINCENT, Advocate in all the petitions

For Respondent : Mr.K.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 was shown as an accused in a batch of Crime Numbers that were registered in connection with the Anti Sterlite incidents that took place on 22.05.2018.



S.No	Crime Number	Under Sections
1.	190/2018	147, 148, 188, 353, 506(ii) of I.P.C and Section 3 of TNPPDL Act
2.	317/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
3.	318/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
4.	319/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
5.	320/2018	147, 148, 188, 436 and Section 3 of TNPPDL Act
6.	322/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
7.	323/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
8.	326/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act
9.	321/2018	147, 148, 188, 436 and Section 3 and 4 of TNPPDL Act

3.The petitioner was first arrested in connection with Crime No.190 of 2018 on 20th June 2018 and subsequently formally arrested in other cases also. He was also subsequently remanded. The prosecution sought his police custody and the same was granted for a period of three days. It appears that the petitioner was returned to judicial custody on the very next day after taking the police custody.

4.This Court is convinced that the continued incarceration of the petitioner will not serve any purpose. Likewise his being released on bail also will not hamper investigation.

5.The learned Additional Advocate General however pointed out that it was the petitioner who was directly responsible along with Thiru.Hari Raghavan and he brainwashed the local villagers and joined them in the protest that culminated in the tragic incidents on 22.05.2018.

6.The learned Senior counsel appearing for the petitioner submits that as far as his knowledge goes, the petitioner has been arrested only in these nine cases. It is made clear that the petitioner shall be released even if he has been shown as arrested in any other cases also. The Prosecution/State Police is restrained from arresting the petitioner even if they are going to implicate him in any other subsequent case in connection with the anti
sterilite incident.



7.The learned Senior counsel informs the Court that the petitioner appears to have been arrested in connection with Crime No.138 of 2015 on the file of the Kodaikanal Police Station.

8.Be that as it may, the Superintendent of Prison, Palayamkottai Police Station is directed to release the petitioner on production of the release order issued pursuant to this order. Bail is granted to the petitioner in connection with the arrest in Crime No.138 of 2015 on the file of the Kodaikanal Police Station. The learned Judicial Magistrate No.3, Thoothukudi is directed to accept common sureties in respect of the said case also.

9.Taking into account the strong objection voiced by the learned Additional Advocate General, this Court is of the view that bail can be granted to the petitioner in all these cases, subject to the following conditions.

(i).The petitioner shall stay in Madurai Town limits till final reports are filed in all these cases.

(ii).The petitioner shall give an affidavit of undertaking before this Court after coming out on bail that he shall desist from engaging himself in any activity in connection with Sterlite till the final reports are filed.

(iii).The petitioner shall appear before the respondent Police on being summoned.

(iv).the petitioner shall execute 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 Judicial Magistrate No.3, Thoothukudi.

(v).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/-
05/07/2018

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.3, THOOTHUKUDI.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE SUPERINTENDENT, CENTRAL JAIL,
PALAYAMKOTTAI.

4. THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION, THOOTHUKUDI.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.A.JOHN VINCENT Advocate SR.No.12168

ORDER IN

CRL OP(MD) Nos.11355 to 11363 of 2018

Date :05/07/2018

MS/CM/ASVM/05.07.2018/4P.7C