

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Third day of June Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice G.K. ILANTHIRAIYAN

CRIMINAL ORIGINAL PETITION No.13848 of 2019

1 THAMIZHVENDAN

[PETITIONERS / ACCUSED]

2 SAMPATH

3 KALAISELVAN

4 BAKIYARAJ

5 SURYA

6 MANIVASAGAM

7 ELAVARASAN

8 ARUMUGAM

9 SANKAR

10 SELVAM

S/O.SIVASAMY

11 SARAVANAN

12 SELVAM

S/O.LAKSHMANAN

13 SATHYARAJ

14 RAVI

15 VADIVEL

16 RAJENDIRAN

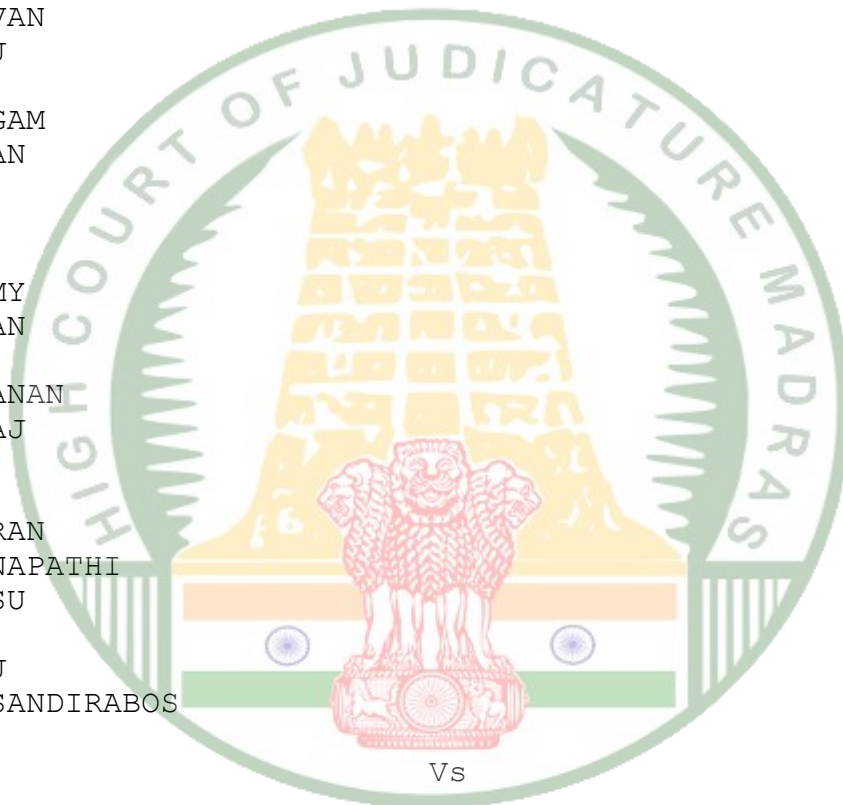
17 SELVAGANAPATHI

18 SELVARASU

19 PRABHU

20 KAMALRAJ

21 SUBASH SANDIRABOS



THE STATE REPRESENTED BY [RESPONDENT]
INSPECTOR OF POLICE,
SENDURAI POLICE STATION,
ARIYALUR DISTRICT.
CRIME NO.76 OF 2019

WEB COPY

For Petitioner : M/S.R.SANKARASUBBU Advocate

For Respondent : M/S.M.PRABHAVATHI, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 324, 506(ii) and 307 of IPC read with section 3

of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in Crime No.76 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that on 18.04.2019 at about 3.00 p.m. the defacto complainant having caste her votes for the parliamentary election at the Ponparappi Government Higher Secondary School Polling Booth and returning to her house at 3.00 p.m. and while going to near Government Girls Hostel, the petitioners and others belonging to Viduthalai Siruthaigal Katchi members assaulted with Aruval, knife, Iron rod, Uruttukkattai and threatening the peoples having caste their votes for the parliamentary election to put their votes in Pannai Chinnam and the defacto complainant's husband Subramanian, Kamalakannan and others. Thereafter, quarrel arose between the petitioners and the said Subramanian, V.Kamalakannan and others resulting attacked the petitioners and life threaten also. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. Therefore, she prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) would submit that the petitioners attacked the defacto complainant and others, hence, she vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Ariyalur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties out of which one shall be a blood surety, each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at 10.00 a.m. for two weeks 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 absconds, a fresh FIR can be registered under Section 229A IPC.

-sd/-
03/06/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, ARIYALUR.

2 THE CHIEF JUDICIAL MAGISTRATE
ARIYALUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
SENDURAI POLICE STATION,
ARIYALUR DISTRICT.

+1CC to M/S.R.SANKARASUBBU Advocate on payment of necessary charges SR NO.10602

CRL OP.13848/2019

Date :03/06/2019

MK:07/06/2019