



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

Date : 21/01/2020

PRESENT

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

CRL OP(MD). No.766 of 2020

1. SIVARAMAPANDIAN
2. NIRMALKUMAR
3. MURUGAVEL
4. VELMURUGAN
5. ARUMUGAVEL
6. PRABHAKARAN

... PETITIONERS/
ACCUSED NO.5,6,8,9,10 & 15

VS

STATE REP. BY
THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION,
DEVAKOTTAI, SIVAGANGAI DISTRICT,
CRIME NO.8 OF 2020.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.Raja Karthikeyan, Advocate
for M/s.B.Arun, Advocate.

For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.A.Uthayakumar, Advocate

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

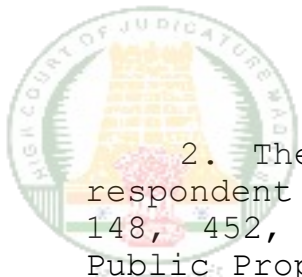
PRAYER :-

For Anticipatory bail in Crime No.8 of 2020 on the file of the
Respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the
learned Government Advocate(Crl. Side) appearing for the respondent
and the learned counsel appearing for the intervener.

<https://hcmiltestreports.doc.in/hcmiltestreports>



2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 452, 294(b), 324, 307 I.P.C., and Section 3 of Tamil Nadu Public Property (Prevent of Damage and Loss) Act, 1992 and Section 3 of Explosive Substances Act, 1908, in Crime No. 8 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The learned counsel for the intervener pointed out that two persons are suffered severe cut injury and they are still taking treatment in Meenakshi Mission Hospital. He would also point out that the cars belonging to the defacto complainant group have suffered intensive damage in a petrol bomb thrown by the accused. The learned counsel for the intervener wanted this Court to take serious view over the conduct of the petitioners.

4. Most of the petitioners herein are Government servants. The first petitioner is a Medical professional and the second petitioner is an Engineer. The petitioners herein are closely related to the first accused. The first and second petitioners are the sons of the first accused. In the First Information Report, it is seen that cut injuries were caused by one Savari and Senthuran. The petitioners herein are on instructions stated that they will ensure that Savari and Senthuran will surrender before the respondent police by 22.01.2020.

5. The learned counsel for the petitioners also placed some photographs to indicate that the car referred to in the First Information Report was at a far away place during the relevant time.

6. Be that as it may, the petitioners are not having any previous case. The arrest of the petitioners herein is not going to serve any purpose. Therefore, this Court is inclined to grant anticipatory bail to the petitioners. However, the petitioners shall appear before the respondent police daily at 10.30 a.m., for a period of seven days.

7. In view of the above, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai, Sivagangai District, and on their executing 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 the petitioner shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.



8. The petitioners 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.

sd/-
21/01/2020

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/ /2020

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

TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
DEVAKOTTAI,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.ARUN, Advocate (SR-1037[I] dated 21/01/2020)

ORDER
IN
CRL OP(MD) No.766 of 2020
Date :21/01/2020

PNN
JM/PN/SAR 2/23.01.2020/3P/6C