



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/01/2020

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PRESENT

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

CRL OP(MD) . No.1135 of 2020

1. T.Ponnnambalam
2. T.Kamaraj
3. T.Singh@Singaraja
4. Y.Athiesh
5. T.Thambidurai
6. T.Ravi

... Petitioners/Accused No.1 to 6

Vs

1. The State Rep. by
The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Tirunelveli District.
(Crime No.22 of 2020)

... Respondent/Complainant

2. The Assistant Superintendent Of Police,
Valliyoor Divison, Valliyoor,
Tirunelveli District.

... Respondent/The Investigation
Officer

3. P.Muthuselvan

... Respondent/Defacto Complainant

For Petitioners : M/s.S.Palani Velayutham, Advocate.

For R-1 & R-2 : : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory bail in Crime No. 22 of 2020 on the file of
the respondent police.



ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl. Side) appearing for respondents 1 and 2.

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2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 141, 341, 365, 342, 294(b), 323 and 506(i) of I.P.C. and Sections 3(1)(r), 3(1)(b) and 3(1)(a) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Amendment Act 2015, in Crime No.22 of 2020 on the file of the respondent police, seek anticipatory bail.

3. The third respondent is the defacto complainant.

4. It is seen that during Pongal festival, a fight broke out between the petitioners' group and that of the defacto complainant. Crime No.20 of 2020 was registered before the first respondent police at the instance of one Siva who belonged to the petitioners' group against the defacto complainant. In fact the defacto complainant herein is figuring as accused No.1 in Crime No.20 of 2020.

5. On a careful perusal of the entire materials on record, it is seen that the case as well as the counter case have been registered and that communal flavour has also given.

6. Taking note of the facts and circumstances of this case, I am 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 their appearance before the learned Judicial Magistrate, Radhapuram, Tirunelveli District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with common surety for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 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.

7. 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/-

29/01/2020

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



Madurai - 625 023.

1. THE JUDICIAL MAGISTRATE, RADHAPURAM.

2. ~~DO~~ THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
KODANKULAM POLICE STATION,
KODANKULAM,
TIRUNELVELI DISTRICT.

4. THE ASSISTANT SUPERINTENDENT OF POLICE,
VALLIYOOR DIVISION, VALLIYOOR,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-1775[I] dated
29/01/2020)

ORDER

IN

CRL OP(MD) No.1135 of 2020

Date :29/01/2020

PMU

TE/PN/SAR-I : 30/01/2020 : 3P/7C