



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1937 of 2020

1. Stalin
2. Muthuraj
3. Balamurugan
4. Arun
5. Thilakan

... Petitioners/Accused Nos.1 to 5

Vs

1. The Deputy Superintendent Of Police,
O/o. Deputy Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Vijayanrayanm Police Station,
Tirunelveli District, Tirunelveli.
Crime No.9/2020.

3. Rajkumar
- ... Respondents

For Petitioners : M/s.T.Seeni Syed Amma, Advocate.
For R1 & R2 : 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.9 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 the respondent.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 302, 304, 305, 307, 308, 323, 324, 506(ii) of I.P.C., and Sections 3(1)(r),



3(1)(s), 3(2)(v-a) in Crime No.09 of 2020 on the file of the respondent police, seek anticipatory bail.

3. I had a conversation with the defacto complainant also. The defacto complainant stated that he belongs to scheduled caste community and that, there are only 25 families belonging to his community in the village. On the other hand, the petitioners belongs to nadar community and that, they are in a very large number. He expressed his anxiety about his physical safety and well being. He also stated that a false case has been registered against him.

4. The petitioner's counsel, on instructions, states that the petitioners will have the counter case registered against the defacto complainant withdrawn. They will also file an affidavit before the Court below undertaking not to interfere with the life of the defacto complainant or his family.

5. I went through the contents of the FIR. It is seen that the defacto complainant had sped past the street, in which, the petitioner were standing. The petitioners are said to have told the defacto complainant that he should drive with a little more caution. This petty occurrence appears to have been given a different color. However, this observation is made only for the purpose of granting relief to the petitioners herein. It will not have any bearing on the investigation.

6. Taking note of the facts and circumstances, 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 Court, Tirunelveli District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each 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/-
10/02/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE DEPUTY SUPERINTENDENT OF POLICE,
O/O. DEPUTY SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT, TIRUNELVELI.
4. THE INSPECTOR OF POLICE,
VIJAYANRAYANM POLICE STATION,
TIRUNELVELI DISTRICT, TIRUNELVELI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.T.SEENI SYED AMMA, Advocate (SR-2800[I] dated
11/02/2020)

ORDER

IN

CRL OP(MD) No.1937 of 2020

Date :10/02/2020

MS/PN/SAR-3/13.02.2020/3P.7C