



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

Date : 14.05.2020

PRESENT

THE HON`BLE **MR.JUSTICE G.R.SWAMINATHAN**

Crl.O.P (MD) .No.5334 of 2020

- 1.Murali @ Bala Murali Krishnan
- 2.Sarkunam @ Sarkuna Bharathi
- 3.Vignesh
- 4.Guna
- 5.Parathan @ Baratha Raman
- 6.Ilaiyaraja
- 7.Muniswaran
- 8.Murugesan
- 9.Kogul Ilavarasan @ Gokula Ilavarasan
- 10.Sathish @ Sathish Kumar
- 11.Sakthi
- 12.Seeni @ Seenivasan
- 13.Baskaran @ Baskaran
- 14.Gokul @ Gokula Kannan ... Petitioners/Accused Nos.2 to 15

Vs

- 1.The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.
- 2.The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
(Crime No.100/2020) ...Respondents 1 & 2/ Complainants
- 3.Vellaisamy ...3rd Respondent / Defacto Complainant
- 4.Parimala
- 5.Arunkumar
- 6.Dharmaraj ... Respondents 4 to 6 / Victims

PRAYER : Petition is filed under Section 482 of Cr.P.C to direct the learned Principal Sessions Judge-cum-PCR Judge, Ramanathapuram to consider the bail application of the petitioners on the very same day of their surrender and to release them on bail on the very same day itself, in connection with the FIR in Crime No.100 of 2020 on the file of second respondent police.



For Petitioners

: Mr.C.Susikumar

For Respondents

: Mr.A.Robinson

Government Advocate (Crl.side)
for R1 & R2

ORDER

Heard the learned counsel on either side.

2.The petitioners are facing accusation for the offences under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) IPC r/w 4 of TNPHW Act and 3(1)(r), 3(1)(s), 3(2)(Va) of SC/ST (Prevention of Atrocities) Amendment Act, 2005 in Crime No.100 of 2020 registered on the file of the second respondent.

3.The learned Government Advocate (Crl.side) pointed out that the 10th petitioner is having three previous cases relating to sand mining. He also states that there is tension prevailing in the locality.

4.Taking note of the objections made by the learned Government Advocate (Crl.side), the petitioners 1 to 5 are directed to stay away from the village in question for a period of three weeks from today. The petitioners are directed to surrender before the jurisdictional Special Court within a period of eight weeks from the date of receipt of a copy of this order and apply for regular bail. The learned Special Judge will accept the surrender and dispose of the bail petitions on the same day of surrender and pass appropriate orders. In the event of the learned Special Judge granting bail, the learned Special Judge will take two common sureties on behalf of all the accused. We are now living in pandemic times. Therefore, notice to the respondents 3 and 4 is dispensed with. This direction will become infructuous if the petitioners are arrested in the meanwhile. Therefore, the respondents 1 and 2 are directed not to arrest the petitioners till the period of eight weeks as setout above is over.

5.With these directions, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk



To

- 1.The Principal Sessions Judge-cum-PCR Judge, Ramanathapuram.
- 2.The Deputy Superintendent of Police,
Keelakarai, Ramanathapuram District.
- 3.The Inspector of Police,
Sikkal Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
Crl.O.P (MD) .No.5334 of 2020
14.05.2020

SMA/02/06/2020/3P/5C