



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/11/2020

WEB COPY

PRESENT

The Hon'ble Mr.Justice S.M.SUBRAMANIAM

CRL OP(MD) . No.12630 of 2020

1. Ayyanar @ Murugan
2. Jeyapalan
3. Kumara Raja
4. Uthayasankar
5. Rajendran
6. Palanisamy
7. Ravikumar
8. Vellaichamy
9. Sahathevan
10. Suriyakarthikeyan
11. Vijaya
12. Kavitha
13. Selvakumar
14. Muthukrishanan
15. Murugesan
16. Karuppasamy
17. Rajeshkannan
18. Lakshamanan
19. Muniyasamy
20. Ravi
21. Siva @ Siva Perumal
22. Nambu @ Namburajan

... Petitioners/Accused Nos.1 to 22

Vs

State Rep by its
The Inspector of Police,
Keelaselvanur Police Station,
Ramanathapuram District.
(Crime No.119 of 2020)

... Respondent/Complainant

For Petitioner : M/s.A.Uthayakumar,
Advocate.

For Respondent : Mr.KR.Bharathi Kannan,
Government Advocate (Crl.Side)



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

PRAYER :-

For Anticipatory Bail in Crime No.119 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, 294b, 323 and 506(ii) of I.P.C., and Section 4 of Prohibition of Harassment of Women Act, 2002, in Crime No.119 of 2020 on the file of the respondent police, seeks anticipatory bail.

3.As far as the first petitioner is concerned, he is the head of the mob, attacked the other group, during temple festival.

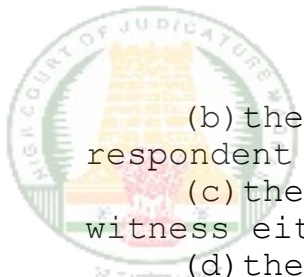
4.The learned Government Advocate(Crl.side) made a submission that three FIR are filed against the first respondent in different cases and even after the order passed by this Court in the writ petition, the petitioner is demanding temple respects from the village people. Thus, the first petitioner is not entitled for any relief and accordingly, this petition stands dismissed as far as the first petitioner, viz., Ayyanar @Murugan, is concerned.

5.In respect of the other petitioners the allegation against them are that two groups of people attacked each other and counter case is also filed by the other opposite groups, wherein some petitioners were already released on anticipatory bail and this being the factum, the petitioner Nos.2 to 22 are enlarged on anticipatory bail.

6.Accordingly, petitioner Nos.2 to 22 are ordered to be released on bail in the event of arrest or on their appearance, within a period of two weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kadaladi, Ramnad 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 respondent police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioner Nos.2 to 22 and the sureties shall affix the photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book

<https://hdservices.resoutrc.gov.in/hdservices/identity>;



(b)the petitioner Nos.2 to 22 shall report before the respondent police as and when required for interrogation;

(c)the petitioner Nos.2 to 22 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner Nos.2 to 22 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 petitioner Nos.2 to 22 in accordance with law as if the conditions have been imposed and the petitioner Nos.2 to 22 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]; and

(f)If the petitioner Nos.2 to 22/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-

10/11/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1.THE JUDICIAL MAGISTRATE,
KADALADI, RAMNAD DISTRICT.

2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
KEELASELVANUR POLICE STATION, RAMANATHAPURAM DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12630 of 2020

Date :10/11/2020

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AE/JC/SAR-IV (19.11.2020) 3P 5C

<https://hcservices.ecourts.gov.in/hcservices/>