



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

Monday, the Twelfth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL OP(MD) No.21850 of 2022

MUTHIAH DEVAR @ MUTHUKUMAR

... PETITIONER/ACCUSED 1

Vs

State Rep.by
THE INSPECTOR OF POLICE
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CR NO.375/2022)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.YESU SUBANANTH, Advocate
For Respondent : MR.P.KOTTAI CHAMY,
Govt. Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CR NO.375/2022 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 143, 279, 287, 291 and 353 IPC r/w. 177 of Motor Vehicles Act, 1988 in Crime No.375 of 2022 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant is that he is a II Grade Police Constable and he was engaged in security work at VIP gate in Pasumpon for Muthuramalinga Devar Guru Poojai from 28.10.2022 to 30.10.2022, the petitioner who is a State President of Tamil Nadu Thevar Peravai came along with 10 persons in 3 cars in a rash and negligent manner, when the defacto complainant waylaid the cars, the petitioner and their men behaved rudely and quarrelled with the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that due to political motive a false complaint has been given against the petitioner. He further contended that the petitioner is ready to



abide by any stringent conditions that shall be imposed by this Court and seeks anticipatory bail.

4. The learned Government Advocate (Crl.side) would submit that the petitioner is having two previous cases and he strongly opposed to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel appearing for the petitioner submitted that the previous cases have been registered with respect to the very same agitations, other than, no criminal case against him.

6. I have heard the learned counsel appearing on either side and perused the materials available. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District, on condition that the petitioner shall execute 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, once in a week i.e., on every Saturday at 10.30 am until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 in accordance with law as if the conditions have been imposed and the petitioner 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].



[f] If the accused thereafter absconds, a fresh FII registered under Section 229A IPC.

sd/-
12/12/2022

/ TRUE COPY /

WEB COPY

/12/2022

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

TO

- 1 THE JUDICIAL MAGISTRATE, KAMUTHI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.YESU SUBANANTH.J, Advocate (SR-14776[I] dated
13/12/2022)

ORDER
IN
CRL OP(MD) No.21850 of 2022
Date :12/12/2022

TRP
RS/SSS/SAR.3(21.12.2022) 3P-6C