



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/12/2022

PRESENT

The Hon`ble Ms.Justice R.N.MANJULA
CRL OP(MD) . No.23248 of 2022

WEB COPY

1. Sakthivel,
2. Dineshkumar @ Aandal Dinesh,
3. V.R.Selvakumar,
4. Nishanth,
5. Karthick @ Navaladi Karthick,
6. Senthil @ Senthilkumar,
7. Balachandran @ Surekha Balachandran,
8. Suresh,
9. Senthilkumar @ Pasupathi Senthil,
10. Palanisamy @ Cheran Palanisamy,
11. Srikanth, ... Petitioners/Accused 1 to 11

Vs

The State rep.by
The Inspector of Police,
Karur Town Police Station,
Karur District.
Crime No.797 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Senthi Kumaraiah J,
Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime No.797 of 2022 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 341, 353 of IPC and Section 5 of Tamil Nadu Public



Property (Prevention of Damage and Loss) Act, 1992, in Crir)7 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that on 20.12.2022 at about 8.30 p.m. the petitioners/accused were unlawfully assembled on the Karur to Kovai Road and blocked the road and protest against the political party and created heavy traffic and caused damages to the auto and also prevented the police officials from discharging their duty. Hence, the complaint.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and a false case was foisted against them. The defacto complainant is Village Administrative Officer and behind back the ruling party has foisted false complaint due to political vendetta. Hence, prays to release them on anticipatory bail. He would also submitted that A5 was already arrested by the respondent police. Therefore, he seeks permission of this Court, to withdraw the petition in respect of A5.

4.The learned Government Advocate (Crl.Side) submitted that totally there are 11 accused in this case. Due to political issues between the parties, this occurrence has taken place. He opposed the grant of anticipatory bail to the petitioners.

5.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

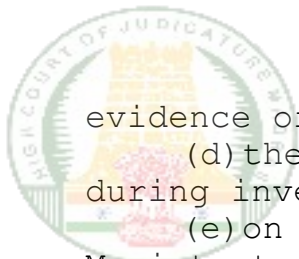
6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 1 to 4, 6 to 11 with certain conditions.

7.Accordingly, this Criminal Original Petition is partly allowed and the petitioners 1 to 4, 6 to 11 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Karur, on condition that the petitioners 1 to 4, 6 to 11 shall execute 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 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 petitioners 1 to 4, 6 to 11 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or bank pass book to ensure their identity;

(b)the petitioners 1 to 4, 6 to 11 shall report before the respondent Police daily at 10:30 a.m., until further orders;

<https://www.mhc.tn.gov.in/judis> petitioners 1 to 4, 6 to 11 shall not tamper with the



evidence or witness either during investigation or trial;

(d) the petitioners 1 to 4, 6 to 11 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 petitioners 1 to 4, 6 to 11 in accordance with law, as if the conditions have been imposed and the petitioners 1 to 4, 6 to 11 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 accused/ petitioners 1 to 4, 6 to 11 thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. The learned counsel for the petitioner seeks permission of this Court to withdraw this criminal original petition in respect of the 5th petitioner, since he was arrested by the respondent police. He has also made an endorsement to that effect. Recording the submission made by the learned counsel for the petitioner, this criminal original petition is dismissed as withdrawn in respect of Accused No.5/5th petitioner.

sd/-

28/12/2022

/ TRUE COPY /

29/12/2022

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

TM

TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR DISTRICT.

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

+1. CC to M/S.SENTHI KUMARAI AH J Advocate SR.No.15649

ORDER

IN

CRL OP(MD) No.23248 of 2022

Date : 28/12/2022

SA/MMS/SAR.2/29.12.2022/3P/6C