



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2023

PRESENT

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRL.O.P (MD) No.3596 of 2023

Sandiyar Manikandan @ Manikandan

... Petitioner/Accused No.3

-vs-

State represented by
The Inspector of Police,
Karur Town Police Station,
Karur District.
(Cr.No.9 of 2023)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 438 of Cr.P.C, praying to enlarge the petitioner on bail in the event of his arrest in connection with Cr.No.9 of 2023 on the file of the respondent Police.

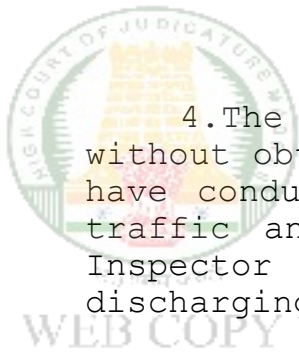
For Petitioner : Mr.S.Gokul Raj, Advocate

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.side)**O R D E R**

The petitioner, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 143, 353 and 506(ii) of IPC r/w Sections 190(2), 177 and 184 of Motor Vehicles Act, 1988, in Crime No.9 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution, as per the de-facto complainant, is that the petitioner and other accused have unlawfully assembled near the Jawahar Bazaar Road for celebration of Veerapandia Kattabomman birth anniversary and at that time, the accused persons have conducted a two-wheeler rally without getting prior permission from the competent authority and drove the vehicles in a rash and dangerous manner and also abused and prevented the police officials from discharging their official duty and criminally intimidated them. Hence, the complaint.

3.The learned Counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given. He would also submit that the petitioner is the member of Veerapandia Kattabomman Panpattu Kazhagam and they have celebrated the birth anniversary of their leader and he has not committed any other offence, as alleged by the prosecution. Hence, he would seek for anticipatory bail to the petitioner.



4.The learned Government Advocate (crl.side) would suk at without obtaining prior permission, the petitioner and other accused have conducted a procession causing disturbance to the public and traffic and when it was questioned by the de-facto complainant, Inspector of Police, they have abused him and prevented him from discharging his official duty.

5.Heard the learned Counsel. Taking into consideration the facts and submissions and also on perusing the materials available on record including the F.I.R., this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.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 No.1, Karur, on condition that the petitioner shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety 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 everyday at 10.30 a.m., for a period of one week, thereafter 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 FIR can be registered under Section 229A IPC.

sd/-

24/02/2023

/ TRUE COPY /

/03/2023

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

cmr

<https://www.mhc.tn.gov.in/judis>



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.S.GOKULRAJ, Advocate (SR-2888[I] dated 24/02/2023)

ORDER

IN

CRL OP(MD) No.3596 of 2023

Date :24/02/2023

RS//SAR-3(07.03.2023) 3P 6C