



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/04/2023

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.8340 of 2023

1. Saravanan,
2. Fathima Fargana,
3. Seetha Lakshmi,
4. Thanjai Karikalan @ Ashok Kumar,
5. Idumabalan Karthik @ Karthik,
6. Krishna Kumar,
7. Podhukai Jayaseelan @ Jeyaseelan,
8. Senthilnathan Seguvara @ Senthilnathan,
9. Duruvan Selvamani @ Sathishkumar,
10. Sattai Murugan @ Durai Murugan,
11. Kaliyammal,
12. Humaiyun Kapoor,
13. Kalanjiyam, ... Petitioners/Accused Nos. 3 to 6, 8 to 16.

Vs

State Rep.by
The Inspector of Police,
Cantonment Police Station,
Trichy City.
(Crime No.322 of 2023).

... Respondent/Complainant

For Petitioner : R.Senthilkumar, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor



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

ORDER : The Court made the following order :-

The petitioners/A3 to A6, A8 to A16, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 153, 504 and 506(i) of I.P.C. r/w Section 41(6)(a) of the Tamil Nadu City Police Act, in Crime No. 322 of 2023, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 23.03.2023, the accused had conducted protest without obtaining proper permission from the concerned authorities. Hence, the case.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the above facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

5.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court-II, Tiruchirapalli, on condition that the petitioners 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 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 petitioners shall report before the respondent Police as and when required for interrogation;

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

[d] the petitioners 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 in accordance with law as if the conditions imposed and the petitioners released on bail by the



learned Magistrate/Trial Court himself as laid down by the 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.

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/05/2023

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

SJI
TO

- 1 THE JUDICIAL MAGISTRATE NO.II
TRICHY.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
- 3 THE INSPECTOR OF POLICE
CANTONMENT POLICE STATION, TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SENTHILKUMAR, Advocate (SR-7019[I] dated 28/04/2023)

ORDER
IN
CRL OP(MD) No.8340 of 2023
Date :28/04/2023

PKP/BUC/SAR-4/09.05.2023/ **3P/6C**