



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/05/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice **P.VADAMALAI**

CRL OP(MD) . No.9497 of 2023

1.Saravanan
2.Rajkumar
3.Balu
4.Ganesan
5.Boomi @ Boominathan
6.Sathiskumar
7.Samba @ Balasumbramaniyan
8.Sakthi @ Sathiyathan
9.Vadivel
10.Karthikeyan
11.Sudhakar

... Petitioners/Accused
Nos.2 to 8 and 10 to 13

Vs

The State rep. by
The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District.
Crime No.160/2022.

... Respondent/Complainant

For Petitioner : Mr.Vishnu.J,
Advocate.

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

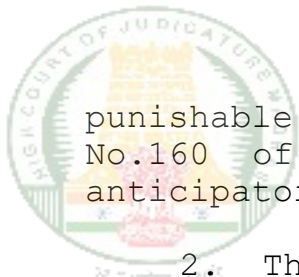
PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.160/2022 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/accused Nos.2 to 8 and 10 to 13, who apprehend arrest by the hands of the respondent police for the offences



punishable under Sections 147, 148, 341, 353 and 435 IPC, No.160 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that all the accused protested against the Government on road for compensation of one Chandra's death and damaged the public properties and they deterred the public servant from discharging their duties. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there is no previous cases registered against the petitioners.

5. Taking into consideration the facts and circumstances of the case and also the fact that there is no previous cases registered against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Rameshwaram, Ramanathapuram District, 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 learned Magistrate concerned and on further conditions 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of 15 days and thereafter, as and when required for interrogation.

[c]the petitioners shall not tamper with the 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 have been imposed and the petitioners are 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 229-A IPC.

sd/-
24/05/2023

/ TRUE COPY /

/05/2023

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

INDU

TO

- 1.The Judicial Magistrate,
Rameshwaram,
Ramanathapuram District.
- 2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.9497 of 2023
Date : 24/05/2023

NA/VR/SAR-4/29.05.2023/3P/5C