



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

Thursday, the Twelfth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.5898 of 2018

1 SUBBAIAH THEVAR

2 T.MAREESWARAN

... PETITIONER/ACCUSED RANK No.2 and 3

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
SATTUR, VIRUDHUNAGAR DISTRICT.

2 STATE REPRESENTED THROUGH,
THE INSPECTOR OF POLICE,
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT.

(IN CRIME NO. 242 OF 2017) ... RESPONDENT/COMPLAINANT

For Petitioners : M/S.C.M.ARUMUGAM, Advocate

For Respondents : M/S.A.ROBINSON, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

The petitioners/ accused Nos.2 and 3 apprehend arrest at the hands of the second respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(2) IPC and 3(1)(r), 3(1)(s), 3(2)(va) Scheduled Caste and the Scheduled Tribes (Amendment) Act, 2015 in Crime No.242 of 2017 and seek anticipatory bail.

2.Heard the learned counsel appearing for the petitioners and the learned Government Advocate(Crl Side) appearing for the respondent.

3.The petitioner is aged about 78 years old. The learned counsel appearing for the petitioner would submit that considering his old age, he cannot even walk normally and therefore the allegations attributed to the first petitioner are simply improbable.

4. Therefore, this Court is of the view that the occurrence in question has been blown out of proportion and it has been given a different colour altogether. The complaint on the face of it



appears to be *mala fide*. It is, however, made clear that this observation is made only for the purpose of granting the relief to the petitioners and it shall not be taken advantage of by the petitioners elsewhere.

5. Considering the nature of allegations made against the petitioners, this court is inclined to grant Anticipatory Bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Sattur and on their executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
12/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, SATTUR, VIRUDHUNAGAR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE DEPUTY SUPERINTENDENT OF POLICE, SATTUR,
VIRUDHUNAGAR DISTRICT.
 - 4 THE INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION, VIRUDHUNAGAR DISTRICT.
 - 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.C.M.ARUMUGAM Advocate SR.No.6100

ORDER
IN
CRL OP(MD) No.5898 of 2018
Date :12/04/2018