



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

Monday, the Ninth day of April Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.5425 of 2018

K.SUNDARAJAMOORTHY

... PETITIONER/SOLE ACCUSED

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
MUDUKULATHUR SUB DIVISION, RAMANATHAPURAM DISTRICT

2 THE STATE REP.BY,
THE SUB INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT,
IN CRIME NO. 17 OF 2018

... RESPONDENTS 1&2/COMPLAINANT

3 NAVASAKTHI

... 3rd RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : M/S.P.GUNASEKARAN Advocate

For Respondent 1&2 : MR.A.P.G.OHM CHAIRMA PRABHI
Govt. Advocate (Crl. Side)

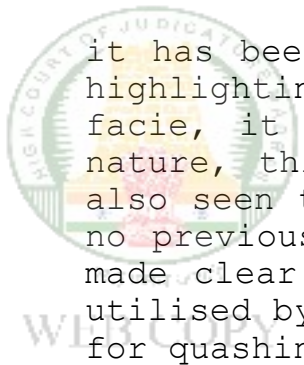
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner / sole accused apprehends arrest at the hands of the Sub Inspector of Police, Mudukulathur Police Station, Ramanathapuram District, for the offences punishable under Sections 294(b), 506(i) of IPC and Section 3 (1) (r), 3 (1) (s) of Schedule Caste and Schedule Tribes (prevention of Atrocities) Amendment Act in Crime No.17 of 2018, seeks anticipatory bail.

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

3.The petitioner is working as a Journalist in Dinamalar Newspaper. This Court went through the contents of the First Information Report. It is seen that the petitioner has published a number of articles in his newspaper, highlighting the instances of the sand theft committed in his area. It is alleged that one Vinodh has been engaged in sand theft and he is none other than the own uncle of the third petitioner herein. The specific allegation of the petitioner is that the complaint is mala fide in nature and that



it has been registered against the petitioner, because he had been highlighting the instances of sand theft in his area. Since prima-facie, it appears that the complaint in question is mala fide in nature, this Court is inclined to grants anticipatory bail, it is also seen that the defacto complainant was not injured and there is no previous case registered against the petitioner. It is however made clear that the observations made in this petition will not be utilised by the petitioner either in the trial or an any application for quashing the impugned First Information Report.

4.Considering the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the Principal and Sessions Court (PCR), Ramanathapuram, Ramanathapuram District and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

5.The petitioner 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/-
09/04/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL AND SESSIONS JUDGE (PCR),
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
MUDUKULATHUR SUB DIVISION, RAMANATHAPURAM DISTRICT
- 3 THE SUB INSPECTOR OF POLICE
MUDUKULATHUR POLICE STATION, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.GUNASEKARAN Advocate SR.No.5650

ORDER IN
CRL OP(MD) No.5425 of 2018
Date :09/04/2018