



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.5555 of 2018

1 G. SARASWATHI
2 S. GOPAL
3 ARUN
4 K. RAMASAMY @ KUNDU NAIYACKAR
5 S. PRAKASH
6 R. RAMKI
7 G. GAYATHRI ... PETITIONERS/ACCUSED NO.1to5,7&10

Vs

1 THE STATE REP.BY,
THE DEPUTY SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
2 THE STATE REP.BY,
THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION, VIRUDHUNAGAR,
IN CR.NO.81/2018 ... RESPONDENTS/COMPLAINANTS
3 VEERA BHARATHI ... 3rd RESPONDENT/DEFACTO COMPLAINANT

For Petitioners : M/S.G.MARIAPPAN Advocate
For Respondent 1&2 : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

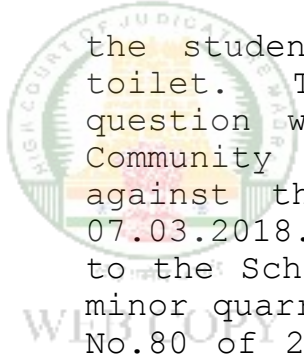
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners/ accused Nos.1 to 5, 7 & 10 apprehend arrest at the hands of the the Inspector of Police, Soolakarai Police Station, Virudhunagar for the offences punishable under Sections 147, 294(b), 323 of IPC and under Sections 3 (1) (r), 3 (1), (s), 3(2) (va) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.81 of 2018 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 petitioners are the residents of Inamreddiyapatti village. In the said village there is a school. It appears that



the students of the said school were called upon to clean the toilet. This gave rise to public controversy. The teachers in question were also transferred. But the local Scheduled Caste Community was not satisfied with the administrative action taken against the erring teachers. A "road-roko" was conducted on 07.03.2018. In the said road-roko, the students who does not belong to the Schedule Caste community did not participate. Therefore, a minor quarrel arose between the two groups. Hence, a case in Crime No.80 of 2018, was registered on the file of the first respondent against the persons who belonged to the Schedule Caste community. Therefore, the present complaint has been given as a counter blast by the members of the Schedule caste community. No injury has been caused to any person.

4. There is no previous case against the petitioners.

5. This Court is of the view that the present First Information Report namely, Crime No.81 of 2018 has been given more as a counter blast for the previous case registered against the members of the Scheduled Caste community. Therefore, following the judgment of the Hon'ble Supreme Court in C.A.No.416 of 2018-(Dr.Subash Kashinath Mahajan Vs. The State of Maharashtra and another), this Court is inclined to grant Anticipatory Bail to the petitioners herein.

6. Considering the facts and circumstances of the case, 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 Principal District and Sessions Judge (Special Court for PCR), Srivilliputhur at Virudhunagar District 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.

7. 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/-

09/04/2018

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE
(SPECIAL COURT FOR PCR),
SRIVILLIPUTHUR AT VIRUDHUNAGAR DISTRICT.



2 THE DEPUTY SUPERINTENDENT OF POLICE,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE
SOOLAKARAI POLICE STATION, VIRUDHUNAGAR.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.G.MARIAPPAN Advocate SR.No.5665

ORDER

IN

CRL OP (MD) No.5555 of 2018

Date :09/04/2018

MKV-CM-VR-RNB/12.4.2018/3P-6C