



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

Wednesday, the Third day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP(MD) No.17917 of 2017

BEEMARAO

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
AMBASAMUTHIRAM POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO.512/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R.ALAGUMANI Advocate

For Respondent : MR.K.S.DURAIPANDIAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

Heard both sides.

2. The petitioner is arrayed as sole accused in Crime No.512 of 2017 of Ambasamuthiram Police Station. He apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 295 A, 506(i) IPC, he has filed this petition, seeking relief to grant anticipatory bail.

3. The case of the prosecution is that the petitioner is member of Dalit Panthers of India, some of the persons were declared Rs.1/-Crore award for the person who brought the head of Thiru. Thol.Thirumalavan who is leader of Dalit Panthers of India. Since the petitioner is member of the said political party, the respondent police registered FIR against the petitioner by mentioning that the petitioner has given provocative speech through social media.

4. The learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case, he has not committed any offence as alleged, he is in no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.



5. The learned Additional Public Prosecutor submitted that the petitioner through whats app message committed the offence against some political leaders.

6. Considering the submissions on either side, it appears that the offence u/s 294(b), 295 A, 506(i) IPC has been registered against the petitioner. The alleged offence had happened through whats app message particularly against some political leaders.

7. Therefore, taking the above said aspects into consideration, and having regard to the nature of offence, this Court come to the conclusion that in order to complete investigation, custodial interrogation is not necessary, accordingly this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:-

(i) The petitioner is granted anticipatory bail in the event of his arrest or on his surrender before Judicial Magistrate, Ambasamuthiram on or before 17.01.2018, failing which, the petition shall stand dismissed automatically.

(ii) On such arrest or surrender, the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Ambasamuthiram.

(iii) **The petitioner is directed to appear before the respondent / police daily at 10.00 a.m. until further orders.**

(iv) The petitioner shall make himself available for interrogation as and when required by the investigation officer.

(v) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled, and the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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].

sd/-
03/01/2018

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM , TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
AMBASAMUTHIRAM POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.R.ALAGUMANI Advocate SR.No.81

ORDER

IN

CRL OP(MD) No.17917 of 2017

Date :03/01/2018

PK/CM-VR/SAR-1/08.01.2018 : 3P/6C