



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

Monday, the Tenth day of September Two Thousand Eighteen

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PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.15221 of 2018

SOUNDARARAJAN

... PETITIONER / SOLE ACCUSED

Vs

1 THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
JEEYAPURAM DIVISION, TRICHY DISTRICT.

2 THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT.
(CRIME.NO.179/2018)

...RESPONDENTS / COMPLAINANT

3 KARIKALAN

... RESPONDENT / DEFACTO-COMPLAINANT VICTIM

For Petitioner : MR.B.JAMEEL ARASU Advocate

For Respondents : Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) 324 and 506(ii) I.P.C, r/w Section 3(i)(r), 3(i)(s) and 3(2)(va) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, in Crime No.179 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 04.08.2018, while the defacto complainant proceeding towards his home, at that time, the defacto complainant has questioned the petitioner as to why he did not complete the motor bike work in proper manner, immediately the petitioner alleged to have abused the defacto complainant in filthy language by using caste name and also assaulted him with a stick. Hence, the complaint. .

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for anticipatory bail to



the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the injured has been discharged from the hospital.

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5.Considering the fact that the injured has been discharged from the hospital and except SC/ST Act, other offences are not serious in nature, this Court, by following the judgment of the Apex Court reported in **(2018) 6 Supreme Court Cases 454-Subash Kashinath Mahajan V.State of Maharashtra**, 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 learned Judicial Magistrate No.III, Trichy and on his 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 petitioner shall appear before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

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

sd/-

10/09/2018

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

TO

1 THE JUDICIAL MAGISTRATE NO-III,
TRICHY.

2 THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

3 THE STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
JEEYAPURAM DIVISION, TRICHY DISTRICT.

4 THE INSPECTOR OF POLICE,
<https://hcservices.ecourts.gov.in/hcservices/>
MANACHANALLUR POLICE STATION,
TRICHY DISTRICT.



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

+1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.17325
PS/RR/SAR-4:18/09/2018:3P/7C

ORDER

IN

CRL OP (MD) No.15221 of 2018

Date :10/09/2018