



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

Monday, the Twenty Seventh day of August Two Thousand Eighteen

PRESENT

WEB COPY

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

CRL OP(MD) No.15146 of 2018

1 MANICKASAMY

2 SAMUTHIRA NADAR

3 CHERMAKANI

... PETITIONERS / ACCUSED NO.1 TO 3

Vs

THE STATE REP.BY,

1 THE DEPUTY SUPERINTENDENT OF POLICE,

PULIYANGUDI, TIRUNELVELI DISTRICT

...1ST RESPONDENT / INVESTIGATION OFFICER

2 THE INSPECTOR OF POLICE

SERNTHAMARAM POLICE STATION,

TIRUNELVELI DISTRICT

[CRIME NO.288/2018]

...2ND RESPONDENT / COMPLAINANT

3 INDRA

..3RD RESPONDENT / DEFECTO-COMPLAINANT

For Petitioners : M/S.M.S.JEYAKARTHIK 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 petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(i) of I.P.C and Section 4 of TN Prohibition of Harassment of Women Act, 2002 and Section 3(1)(r), 3(1)(S) of the Schedule Caste and the Schedule Tribes (Prevention of Atrocities) Amendment Act 2015, in Crime No.288 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute between the petitioners and the defacto complainant, the petitioners are assaulted the defacto complainant and abused him by using her caste name. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case.



4. Heard the learned Additional Public Prosecutor appearing for the respondent.

5. Considering the fact that 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**, 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, Tenkasi and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m ., for a period of two weeks, thereafter, as and when required. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Judge 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/-
27/08/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI.
- 2 -DO- THRO THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE DEPUTY SUPERINTENDENT OF
POLICE, PULIYANGUDI, TIRUNELVELI DISTRICT
- 4 THE INSPECTOR OF POLICE
SERNTAMARAM POLICE STATION,
TIRUNELVELI DISTRICT
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.S.JEYAKARTHIK Advocate SR.No.16250

ORDER
IN
CRL OP(MD) No.15146 of 2018
Date :27/08/2018