



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

Tuesday, the Twenty First day of August Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP (MD) No.14761 of 2018

1.R.KARTHICK
2.D. SANKAR
3.M. RAJA
4.BABU
5.E. KARTHIKEYAN
6.E. SENTHILKUMAR

... PETITIONER) / ACCUSED
RANK NOT KNOWN

Vs

1.THE DEPUTY SUPERINTENDENT OF POLICE,
KULITHALAI, KARUR DISTRICT.

2.STATE REPRESENTED BY BY
THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.
Crime No.176 of 2018

...RESPONDENTS/COMPLAINANTS

3.ANUSIYA

... RESPONDENT / DEFACTO
COMPLAINANT

For Petitioners : Mr.M.KARUNANITHI Advocate

For Respondent : Mr.V.NEELAKANDAN Additional Public Prosecutor for
R1 and R2

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 147, 148, 294(b), 323, 324 and 307 of I.P.C. And Section 4 of Women Harassment Act and Sections 3(1)(s), 3(2)(va) of SC/ST (POA) Act, in Crime No.176 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 05.04.2008 during the temple festival, the petitioners herein created trouble to the defacto complainant and attacked her and abused her with filthy language and using her caste name and the defacto complainant



sustained injury and admitted into Government Hospital. Hence, a complaint has been registered.

3. Heard the learned counsel appearing for the petitioners, who would submit that the petitioners never committed any offence as alleged by the prosecution and they have been falsely implicated in this Case. He would further submit that already co-accused persons in this case has been enlarged on anticipatory bail by this Court in Crl.O.P.(MD) No.10204 of 2018 on 21.06.2018 and hence, he prayed for enlargement of these petitioners also.

4. The learned Additional Public Prosecutor submitted that the investigation is pending. However, he conceded the fact that other co-accused in this case have been enlarged on bail in Crl.O.P.(MD) No.10204 of 2018 on 21.06.2018.

5. Considering the fact that already co-accused have been enlarged on anticipatory bail by this Court and except the 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 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 (PCR Court), Karur and on each of them 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 and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioners 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/-
21/08/2018

/ TRUE COPY /

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

TO



2. THE DEPUTY SUPERINTENDENT OF POLICE,
KULITHALAI, KARUR DISTRICT.

3. THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.

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

+1. CC to Mr.M.KARUNANITHI Advocate SR.No.16311

ORDER

IN

CRL OP (MD) No.14761 of 2018

Date :21/08/2018

TK/RR/SAR.1/30.08.2018/3P-6C