



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

Wednesday, the Twenty Ninth day of August Two Thousand Eighteen  
PRESENT

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

CRL OP(MD) No.15302 of 2018

1 CHANDRAPPAN

2 SENTHIL MURUGAN

... PETITIONERS / ACCUSED Nos.1 & 2.

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,  
SIVAGANGAI SUB- DIVISION, SIVAGANGAI.

2 THE INSPECTOR OF POLICE  
SIVAGANGAI TOWN POLICE STATION,  
SIVAGANGAI DISTRICT.

IN CRIME NO.134 OF 2018

...RESPONDENT/COMPLAINANT

3 SETHURAMAN

... VICTIM / DE FACTO COMPLAINANT

For Petitioners : Mr.A.MOHAN 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 147, 148, 294(b), 447, 323, 506(ii) of I.P.C and Sections 3(1)(r), 3(1)(s) of SC/ST (Prevention of Atrocities) Amendment Act, 2015, in Crime No.134 of 2018, seek anticipatory bail.

2.The case of the prosecution is that there was a dispute with regard to the sharing of chit amount, due to which, the petitioners trespassed into the defacto complainant's house and abused him with filthy language by using his caste name. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are an innocent and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

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

5.The learned counsel for the petitioners seeks permission of this court to withdraw this Criminal Original Petition, insofar as the second petitioner is concerned and he has also made an



endorsement to that effect.

6. In view of the above, this Criminal Original Petition is dismissed as withdrawn, insofar as the second petitioner is concerned.

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7. 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 first petitioner with certain conditions. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned District Sessions Judge (PCR Court), Sivagangai 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 Judge concerned and on further condition that the first petitioner shall appear before the respondent police as and when required for interrogation. The first petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8. The first petitioner 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/-

29/08/2018

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

TO

- 1 THE DISTRICT SESSIONS JUDGE,  
(PCR COURT), SIVAGANGAI.
  - 2 THE DEPUTY SUPERINTENDENT OF POLICE,  
SIVAGANGAI SUB- DIVISION, SIVAGANGAI.
  - 3 THE INSPECTOR OF POLICE,  
SIVAGANGAI TOWN POLICE STATION,  
SIVAGANGAI DISTRICT.
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.A.MOHAN Advocate SR.No.16422  
PS/JC/SAR-1:04/09/2018;2P.6C

ORDER

IN

CRL OP(MD) No.15302 of 2018

Date :29/08/2018