



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

Monday, the Third day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15369 of 2018

NAGENDRAN

... PETITIONER/ SOLE ACCUSED

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
PERIYAKULAM SUB DIVISION,
PERIYAKULAM, THENI DISTRICT.

2 THE INSPECTOR OF POLICE
VADAKARAI POLICE STATION, PERIYAKULAM,
THENI DISTRICT.
CRIME NO.322 OF 2018

... RESPONDENTS 1 & 2/ COMPLAINANT

3 THIYAGARAJAN

... 3rd RESPONDENT/ DE-FACTO COMPLAINANT

For Petitioner : Mr.R.SHANKAR GANESH, Advocate

For Respondent 1 & 2: Mr.V.NEELAKANDAN, Additional Public Prosecutor

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

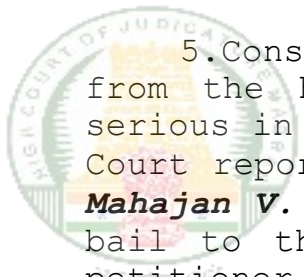
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324, 506(ii) I.P.C. and Section 3 (1) (r) V (a) of SC/ST (Prevention of Atrocities Amendment) Act, 2015 in Crime No.322 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the third respondent's vehicle dashed with the petitioner's vehicle and hence there was a wordy quarrel and during the quarrel the petitioner attacked the third respondent and abused him in filthy language. 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. It is a case of case in counter. Hence, he prays for anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondents 1 and 2 submitted that the injured has been discharged from the hospital.



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** in 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 Principal District and Sessions Judge, Theni District 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 petitioner shall appear before the respondent police 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 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/-
03/09/2018

/ TRUE COPY /

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

TO

- 1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
THENI DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
PERIYAKULAM SUB DIVISION,
PERIYAKULAM, THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE
VADAKARAI POLICE STATION, PERIYAKULAM,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.R.SHANKAR GANESH Advocate SR.No.16762

ORDER
IN
CRL OP(MD) No.15369 of 2018
Date :03/09/2018

MS/VR-MMS/SAR-1/06.09.2018/2P.6C