



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

Tuesday, the Fourth day of September Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.15687 of 2018

SUDHAKAR

... PETITIONER/ACCUSED No.1

Vs

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

2 STATE REP.BY,
THE INSPECTOR OF POLICE
KULITHALAI POLICE STATION,
KARUR DISTRICT.
CRIME NO.377 OF 2018

... RESPONDENTS/COMPLAINANTS

3 ARUMUGAM

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : MR.V.KARUNA, Advocate

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

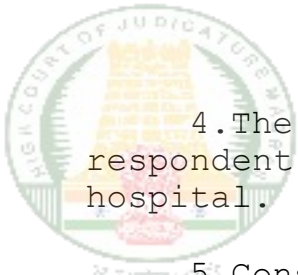
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

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 147, 148, 294(b) 324, 506(ii) I.P.C and Sections 3(1)(r), 3(1)(s), 3(2)(Va) of SC/ST Act (POA) Amendment Act, 2015, in Crime No.377 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 03.08.2018 at about 8.00 p.m, the defacto complainant and others were came to the street of the petitioner, at that time, the petitioner and his friends abused the defacto complainant and others by using filthy language with community name and also assaulted the defacto complainant. 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 respondent 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**, 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.II, Kulithalai, Karur 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 Magistrate 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 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/-

04/09/2018

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, KULITHALAI, KARUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
KULITHALAI DIVISION, KARUR DISTRICT.
- 4 THE INSPECTOR OF POLICE,
KULITHALAI POLICE STATION, KARUR DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.V.KARUNA, Advocate SR.No.16799

ORDER

IN

CRL OP(MD) No.15687 of 2018

Date :04/09/2018