



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.15732 of 2018

R.BHARATH

... PETITIONER/ACCUSED-4

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
SAMAYANALUR, MADURAI DISTRICT.

2 THE INSPECTOR OF POLICE,
VADIPATTI POLICE STATION,
MADURAI DISTRICT
CRime NO.330 OF 2018

... RESPONDENT/COMPLAINANT

3 R.VEERAMANI

... VICTIM/DEFACTO COMPLAINANT

For Petitioner : MR.G.VELUMANI, 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 341, 294(b), 323, 324, 506(ii) I.P.C and r/w Section 3(2)(Va) of SC/ST Act (POA) Amendment Act, 2015, in Crime No.330 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner and others assaulted the defacto complainant and abused him with filthy language by using the caste name. 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 III Additional District and Sessions Judge (PCR), Madurai 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/-
04/09/2018

/ TRUE COPY /

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

TO

- 1 THE III ADDITIONAL DISTRICT AND SESSIONS JUDGE, (PCR), MADURAI
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
SAMAYANALUR, MADURAI DISTRICT
- 3 THE INSPECTOR OF POLICE
VADIPATTI POLICE STATION, MADURAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to MR.G.VELUMANI, Advocate SR.No.16781

ORDER IN
CRL OP(MD) No.15732 of 2018
Date :04/09/2018