



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

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.15816 of 2018

PITCHAI

... PETITIONER / A-1

Vs

1 STATE REP.BY

THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI DIVISION,
SIVAGANGAI DISTRICT.

... RESPONDENT/ INVESTIGATING OFFICER

2 THE INSPECTOR OF POLICE

POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT.
CRIME NO.70 OF 2018

... RESPONDENT/ COMPLAINANT

3 MAHALAKSHMI

... RESPONDENT/ DEFACTO COMPLAINANT

For Petitioner : Mr.A.K.MANICKAM, Advocate

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

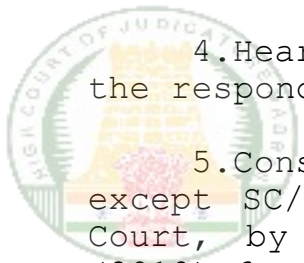
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 342, 354-A and 506(ii) of I.P.C., r/w Sections 3(1)(r)(s)(w) of the SC/ST (Prevention of Atrocities) Amendment Act, in Crime No.70 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that on 22.06.2018, the defacto complainant went to the ration shop for purchasing goods. The petitioner is working as a sales man in the shop. The petitioner herein directed the defacto complainant to come inside the shop and attempted to misbehave with her. The said incident was informed to her husband by the defacto complainant and the same was questioned by her husband, the petitioner and other abused the defacto complainant and her husband by using their caste name and also threatened them with dire consequences. Hence, the complaint.

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



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

5. Considering the facts and circumstances of the case 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 Principal District and 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 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/-

05/09/2018

/ TRUE COPY /

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

TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
(PCR COURT) SIVAGANGAI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI DIVISION,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE
POOVANTHI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1. CC to Mr.A.K.MANICKAM Advocate SR.No.16887

ORDER

IN

CRL OP(MD) No.15816 of 2018

Date :05/09/2018