



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

Wednesday, the Fifth day of September Two Thousand Eighteen

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PRESENT

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

CRL OP(MD) No.15822 of 2018

POOLU@P.POOLRAJ

... PETITIONER / ACCUSED NO.1

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
SRIVAIGUNDAM, THOOTHUKUDI DISTRICT.

2 THE SUB INSPECTOR OF POLICE
SERAKULAM POLICE STATION,
THOOTHUKUDI DISTRICT.
(CRIME NO.25 OF 2018)

...RESPONDENTS/COMPLAINANT

3 MARIAMMAL

... RESPONDENT / DE-FACTO COMPLAINANT

For Petitioner : Mr.V.M.JEGADEESHA PANDIAN 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 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(ii) I.P.C, and Section 3(1)(r), 3(1)(5), 3(2)(VA) of Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment act, 2015 and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act, 2002, in Crime No.25 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant. On 10.12.2017, the petitioner and his brother, who is the Accused No.2 came to the occurrence place and there was a wordy quarrel arose between them and the defacto complainant. The petitioner abused the defacto complainant with filthy language and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.



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 Additional District Judge No.II, (PCR Court), Tirunelveli 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 daily at 06.30 p.m for a period of two weeks thereafter, as 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

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

TO

- 1 THE ADDITIONAL DISTRICT JUDGE NO.II, (PCR COURT),
TIRUNELVELI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
SRIVAIGUNDAM, THOOTHUKUDI DISTRICT
- 3 THE SUB INSPECTOR OF POLICE
SERAKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.M.JEGADEESHA PANDIAN Advocate SR.No.16927
PS/RR/SAR-2:10/09/2018:2P/6C

ORDER

IN

CRL OP(MD) No.15822 of 2018

Date : 05/09/2018