



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

Wednesday, the Twelfth day of September Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.16399 of 2018

RAJESH KANNAN

... PETITIONER/ACCUSED No.8

Vs

1 THE DEPUTY SUPERINTENDENT OF POLICE,
VEDASANDUR TALUK, DINDIGUL DISTRICT.

2 THE STATE REP.BY,
THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.
IN CRIME NO. 61 OF 2017

... RESPONDENTS/COMPLAINANT

3 RAMESH

... RESPONDENT/DEFACTO COMPLAINANT

For Petitioner : MR.D.BALAMURUGAPANDI, Advocate

For Respondents 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 147, 148, 323, 324, 506(i) and 34 IPC and 3(i) of TNPPDL Act, r/w 3 (2) (v), 3 (1) (r), 3 (1) (s) of SC/ST (POA) Amendment Act, 2015 in Crime No.61 of 2017, seeks anticipatory bail.

2.The case of the prosecution is that the the petitioner / accused and others scolded the defacto complainant by using filthy language and mention his caste name and beaten him and made a life threat to him. 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.Heard 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**, 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 District and Sessions Judge (Special Court for Scheduled Castes and Scheduled Tribes Prevention of Atrocities) Act, 1989, Dindigul, Dindigul 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/-

12/09/2018

/ TRUE COPY /

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

TO

- 1 THE DISTRICT AND SESSIONS JUDGE,
(SPECIAL COURT FOR SCHEDULED CASTES AND SCHEDULED TRIBES
PREVENTION OF ATROCITIES) ACT, 1989, DINDIGUL,
DINDIGUL DISTRICT.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
VEDASANDUR TALUK, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to Mr.D.BALAMURUGAPANDI Advocate SR.No.17507

ORDER IN
CRL OP(MD) No.16399 of 2018
Date :12/09/2018