



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

Wednesday, the Twelfth day of September Two Thousand Eighteen

PRESENT

WEB COPY

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

CRL OP(MD) No.16349 of 2018

- 1 DHANAPAL
- 2 PUVANESHWARAN
- 3 LAKSHMANAN
- 4 KATHIRVEL

... PETITIONERS / ACCUSED NO.1 TO 4

Vs

- 1 THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI SUB DIVISION,
SIVAGANGAI DISTRICT.

- 2 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT,
CRIME NO.48/2018

...RESPONDENT 1&2/COMPLAINANT

- 3 BALAMURUGAN ... 3rd RESPONDENT / DEFACTO COMPLAINANT

For Petitioners : Mr.K.VEILMUTHU 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 petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 506(ii) IPC and 3 (1) (r), 3 (1) (s) of SC/ST (Prevention of Atrocities) Amendment Act, 2015 in Crime No.48 of 2018, seek anticipatory bail.

2.The case of the prosecution is that on 30.04.2018 at about 07.00 a.m., the second and fourth accused waylaid the defacto complainant and abused the him by mentioning the case and further attacked with Aruval and stone. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioners are an innocent persons and they have been falsely implicated in this case. It is a case of case in counter. hence, he prays for anticipatory bail to the petitioners.



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 petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Special Court, SC/ST Act, Sivagangai, and on their 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 Court concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioners shall appear before the concerned Court 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

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

TO

- 1 THE SPECIAL JUDGE, SC/ST ACT, SIVAGANGAI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI SUB DIVISION, SIVAGANGAI DISTRICT.
- 2 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, MANAMADURAI,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

PS/PN/SAR-1;24/09/2018:2P/5C

ORDER

IN

CRL OP(MD) No.16349 of 2018

Date :12/09/2018