



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.16360 of 2018

1 FAIZAL KHAN
2 CHANDRABALAN

... PETITIONERS/ ACCUSED NO.2&4

Vs

1 THE DEPUTY SUPERINTENDENT OF
POLICE, PATTUKKOTTAI SUB DIVISION,
THANJAVUR DISTRICT

2 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION,
THANJAVUR DISTRICT
(CRIME NO.133 OF 2018)

... RESPONDENTS / COMPLAINANTS

3 VANMIKINATHAN

... RESPONDENTS / DE-FACTO COMPLAINANT

For Petitioners : MRS.A.BANUMATHY 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 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 324 and 506(ii) of I.P.C r/w 3(1) of Tamilnadu Property (Prevention of damage and loss) Act 1992 r/w 3(1)(r)(s) of SC/ST (POA) Act, 1989 in Crime No.133 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners attacked the defacto complainant and also threatened with dire consequences. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioners, who would submit that the petitioners are innocent persons and they have been falsely implicated in this case. The learned counsel for the



petitioner further submitted that this Court already granted anticipatory bail to the first accused in CrI.O.P.(MD)No.15869 of 2018, dated 05.09.2018. Hence, they pray for anticipatory bail.

4.The learned Additional Public Prosecutor submitted that the investigation is pending.

5.Considering the fact that already co-accused have been enlarged on anticipatory bail by this Court and except the 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 learned 1st Additional District and Sessions Judge, Special Court for SC/ST (POA) Act, Thanjavur, and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judge concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, 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 Magistrate 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 1ST ADDITIONAL DISTRICT
AND SESSIONS JUDGE THE SPECIAL COURT FOR S.
C/S.T (POA) ACT AT THANJAVUR

2 THE DEPUTY SUPERINTENDENT OF POLICE
PATTUKOTTAI SUB DIVISION,
THANJAVUR DISTRICT

<https://hcservices.ecourts.gov.in/hcservices/>

3 THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION, THANJAVUR DISTRICT



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

+1. CC to MRS.A.BANUMATHY Advocate SR.No.17571

ORDER

IN

CRL OP(MD) No.16360 of 2018

Date :12/09/2018

MSI/PN/SAR-II/20.09.2018-3P/6C