



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.16389 of 2018

M.MUTHU PANDIAN

... PETITIONER / ACCUSED NO.3

Vs

1 STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT.

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

... RESPONDENTS/ COMPLAINANTS

3 N.VANMEEGANATHAN

... RESPONDENT/ DEFACTO COMPLAINANT

For Petitioner : Mr.P.R.PRITHIVIRAJ Advocate

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

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

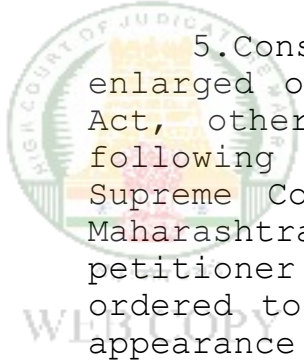
ORDER : The Court Made the following order :-

The petitioner 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 PPDL Act 1992 r/w 3(1)(r), 3(1)(s) of SC/ST (POA) Amendment Act, 2015 in Crime No.133 of 2018, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner abused the defacto complainant by referring his community name besides attacked him and caused damage worth about Rs.3,00,000/-. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioner, who would submit that the petitioner is an innocent person and he has 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 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 Judicial Magistrate, Pattukottai, and on each of them 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 10.30 a.m. for a period of two weeks and thereafter, 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 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 JUDICIAL MAGISTRATE, PATTUKOTTAI.
 2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
 3. THE DEPUTY SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT.
 4. THE INSPECTOR OF POLICE
PERAVURANI POLICE STATION, THANJAVUR DISTRICT.
 5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to MR.P.R.PRITHIVIRAJ Advocate SR.No.17424

ORDER
IN
CRL OP(MD) No.16389 of 2018
Date :12/09/2018

MS/VR-MMS/SAR-2/18.09.2018/2P.7C

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