



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/01/2020

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.134 of 2020

Marudhupandian ... Petitioner/Sole Accused

Vs

1.State Rep by
The Deputy Superintendent Of Police,
Thiruchuli Sub Division,
Virudhunagar District.

2.State Rep by
The Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District.
(Crime No.325/2019).

3.Periasamy ... Respondent/Complainant

For Petitioner : M/s.S.Poornachandran,
Advocate.

For Respondent : Mr.K.K.Ramakrishnan,
Additional Public Prosecutor

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

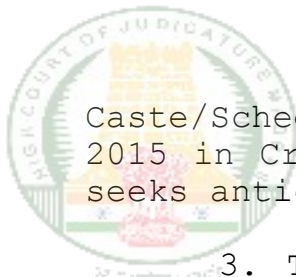
PRAYER :-

For Anticipatory Bail in Crime No. 325/2019 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
324, 325, 506 of Indian Penal Code/ I.P.C., and Section 3(1)(r), 3(1)(s) of Scheduled



Caste/Scheduled Tribes(Prevention of Attrocities) Amendment Act, 2015 in Crime No.325 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The third respondent is the defacto complainant. He has been notified about the hearing of this case. On going through the materials on record, it is seen that the petitioner belongs to Thevar community who is said to have married a person belonging to Scheduled Caste community. The petitioner himself has exhibited the progressive nature of his social philosophy by marrying a person belonging to Scheduled Caste community. I find it difficult to believe that the petitioner would abuse the third respondent by referring his caste. It appears that a petty quarrel has been given a different communal colour by the defacto complainant.

4. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Sessions Judge, SC/ST (POA) Cases, Virudhunagar, at Srivilliputhur, 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 Magistrate 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.

5. 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/-
08/01/2020

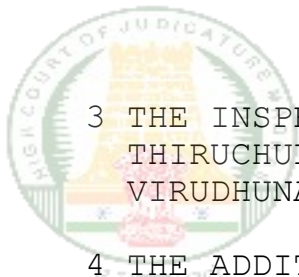
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SESSIONS JUDGE,
SC/ST (POA) CASES,
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUCHULI SUB DIVISION,
VIRUDHUNAGAR DISTRICT.



3 THE INSPECTOR OF POLICE
THIRUCHULI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.S.POORNA CHANDRAN, Advocate (SR-544[I] dated
09/01/2020)

ORDER
IN
CRL OP(MD) No.134 of 2020
Date :08/01/2020

pnn
JM/PN/SAR 1/20.01.2020/3P/6C