



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

Date : 13/01/2020

PRESENT

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

CRL OP(MD). No.476 of 2020

1. Ganesan
2. Gopalakrishnan ... Petitioners/Accused No.1 & 2

Vs

1. State Rep.by
The Deputy Superintendent of Police,
Tenkasi, Tenkasi District.
2. The Sub Inspector of Police,
Tenkasi Police Staion,
Tirunelveli District.
Crime No.702 of 2019. ... Respondents 1 & 2/ Complainants
3. Eswaran ...3rd Respondent/Complainant

For Petitioner : M/s.K.P.Narayanakumar, Advocate.

For Respondent 1& 2 : Mr.A.Robinson,
Government Advocate (Crl.Side)

For Intervener : Mr.T.K.Gopalan, Advocate

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

PRAYER :-

for Anticipatory Bail Crime No.702 of 2019 on the file of the
Respondent Police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioners, the
learned counsel for the intervener and the learned Government
Advocate(Crl. Side) appearing for the respondent.

2. The petitioners apprehending arrest at the hands of the
respondent police for the offences punishable under sections 294(b),
324, 109 IPC read with 3(1)(r), 3(1)s), 3(2)(va) of SCST (POA)
Amendment Act 2018, in Crime No.702 of 2019 on the file of the
respondent police, seek anticipatory bail.



3. The learned counsel for the petitioners points out that the first petitioner is the defacto complainant in Crime No.701 of 2019 registered on the file of Tenkasi Police Station. He further points out that the first petitioner's complaint was registered at 4.00 pm on 20.12.2019. After coming to know about the same, the defacto complainant herein has lodged a counter complaint at 7 pm. The case against the petitioners was registered later in point of time.

4. On going through both the First Information Report, it is seen that the petitioners herein are employees of one Ganesh Transport. The defacto complainant herein is employed in Nallamani Transport. It appears that there was a dispute regarding the departure timings. The incident in question had taken place in this background. The defacto complainant has fairly admitted in his First Information Report that he also returned the compliment.

5. I am of the view that a petty scuffle involving bus timings has been given a communal colour. Therefore, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Tenkasi, 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 learned Magistrate concerned and on further condition that the petitioner 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 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/-
13/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, TENKASI.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
TENKASI, TENKASI DISTRICT.



4. THE SUB INSPECTOR OF POLICE,
TENKASI POLICE STAION, TIRUNELVELI DISTRICT.

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

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+1. CC to M/S.K.P.NARAYANAKUMAR Advocate SR.No.942

ORDER

IN

CRL OP(MD) No.476 of 2020

Date :13/01/2020

MS/SKN/SAR-4/28.01.2020/3P.7C