



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/01/2020

WEB COPY

PRESENT

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

CRL OP(MD). No.344 of 2020

Perumal ... Petitioner/Sole Accused

Vs

1.The Deputy Superintendent of Police,
Thiruvadanai Sub-Division,
Ramanathapuram District.

2.State Rep.by
The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.1/2020).

... Respondents/ Complainants

3.C.Suresh ... Respondent/ Defacto Complainant

For Petitioner : M/s.D.Rameshkumar, Advocate.

For Respondent : Mr.A.Robinson,
1 & 2 Government Advocate (Crl.Side)
For R3 : Mr.G.Kasinatha Durai, Advocate

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

PRAYER :-

For Anticipatory Bail in Crime No. 1/2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner, the learned Government Advocate(Crl. Side) appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 506(i) of IPC and Section 3(1)(r)(s) of SC/ST (POA) Act, in Crime No.1 of 2020 on the file of the respondent police, seeks anticipatory bail.



3. The learned counsel appearing for the defacto complainant reiterated the contentions set out in the First Information Report and opposed the grant of anticipatory bail.

4. The learned counsel for the petitioner states that the petitioner and the defacto complainant hail from the same village and that the candidate supported by the petitioner was picked against the candidate supported by the defacto complainant. The candidate supported by the defacto complainant has not since succeeded. The defacto complainant himself is a former panchayat president.

5. The learned counsel for the petitioner states that it is political motive that is the reason for the registration of the case on hand. He further submitted that few months back the defacto complainant's own brother filed a similar case against the petitioner and made himself arrested. Since First Information Reports have been registered in quick succession and in view of the political background obtained in this case, I am of the prima facie view that the case on hand could have been falsely given.

6. It is made clear that this observation is made only for the purpose of disposing this petition and it will not have any bearing on the investigation.

7. With this observation and clarification, 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 Principal District and Sessions Judge (PCR Court), Ramanathapuram, 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.

8. 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/-
13/01/2020

/ TRUE COPY /

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



TO

1 THE PRINCIPAL DISTRICT AND SESSIONS JUDGE (PCR COURT),
RAMANATHAPURAM.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUVADANAI SUB-DIVISION,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUVADANAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.D.RAMESH KUMAR, Advocate (SR-813[I] dated 13/01/2020)

ORDER

IN

CRL OP (MD) No.344 of 2020

Date :13/01/2020

MS/PN/SAR-1/29.01.2020/3P.6C