



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 13/01/2020

PRESENT

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

WEB COPY

CRL OP(MD). No.380 of 2020

P.Kanthan

... Petitioner/Accused Rank not known

Vs

1.The Deputy Superintendent Of Police,
O/o.The Deputy Superintendent of Police,
Tirunelveli District.

2.State Represented by
The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli, Tirunelveli District
(In Crime No.437 of 2019). ...Respondents No.1 & 2/Complainants

3.Samynathan, ... 3rd Respondent/Defacto Complainant

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

For Respondents : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

(SC/ST Act) for Anticipatory Bail in Crime No.437 of 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),
352, 506(ii) of IPC and Section 3(1)(r) and 3(1)(s) of the Schedudled
Castes and Scheduled Tribes (Prevention of Atrocities) Amendment
Act, 2015, in Crime No. 437 of 2019 on the file of the respondent
police, seeks anticipatory bail.



3. I went through the complaint. The learned counsel for the petitioner states that the petitioner along with his friends had ridden two-wheelers in a rash manner. This was objected to by the complainant. There was some wordy altercation. In the process, the friends of the petitioner had sustained simple injuries. Apprehending that a case may be given against them, the defacto complainant has given this complaint. On going through the First Information Report, I am of the view that the complaint projected by the defacto complainant sounds highly improbable. It appears that this complaint has been given to preempt any complaint being given by the petitioner.

4. In the 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 Additional District and Sessions Judge, No.II, Tirunelveli Special Court for (PCR) Cases, Tirunelveli, 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.

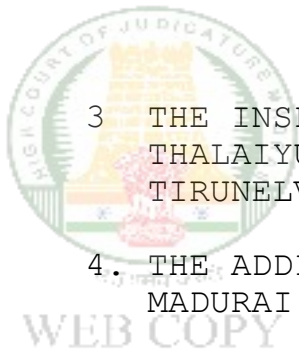
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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE ADDITIONAL DISTRICT AND SESSIONS JUDGE, NO.II,
TIRUNELVELI SPECIAL COURT FOR (PCR) CASES, TIRUNELVELI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE,
O/O.THE DEPUTY SUPERINTENDENT OF POLICE,
TIRUNELVELI DISTRICT



- 3 THE INSPECTOR OF POLICE
THALAIYUTHU POLICE STATION, TIRUNELVELI,
TIRUNELVELI DISTRICT
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.380 of 2020
Date :13/01/2020

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