



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 22/01/2020
PRESENT

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

CRL OP(MD) . No.896 of 2020

Chinnasamy,

... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Vilampatti Police Station,
Dindigul District.
Crime No.5 of 2020.

... Respondent/Complainant

For Petitioner : M/s.P.Senguttuarasan,
Advocate.
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.5 of 2020 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 under section 294(b) of I.P.C. and Section 92(1) of Rights of Persons with Disabilities Act, 2016, in Crime No.5 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner is a retired school teacher. The case against the petitioner is that he had insulted a physically challenged person. This Court made it clear that the petitioner will have to express his regret. Of course this will be without prejudice to the petitioner's defence in the trial. Merely because the petitioner expresses his regret, that cannot be put against the petitioner or prejudice to his defence in future. But then the affidavit of apology to be executed by the petitioner will have to be totally unconditional and addressed to the defacto complainant.

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Section 438 Cr.P.C scrupulously.

stand dismissed.

22/01/2020

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

TO

1. THE JUDICIAL MAGISTRATE, NILAKOTTAI.
2. DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
3. THE INSPECTOR OF POLICE,
VILAMPATTI POLICE STATION, DINDIGUL DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.SENGUTTUARASAN, Advocate (SR-1364[I] dated 24/01/2020)

IN

CRL OP (MD) No.896 of 2020

Date : 22/01/2020

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