



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

Date : 30/01/2020

PRESENT

**The Hon'ble Mr.Justice G.R.SWAMINATHAN**

CRL OP(MD). No.1582 of 2020

1. Thennavan
2. Rajendran
3. Tamil Selvan
4. Shiva
5. Kathiresan
6. Naagu

... Petitioners 1 t o 6/Accused No.1 to 6  
**Vs**

The Inspector of Police,  
Thiruvegampet Police Station,  
Sivagangai District  
(Crime No.12 of 2020).

... Respondent/Complainant

For Petitioners : Mr.R.Venkatesan, Advocate for  
M/s.Right Law Associates

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

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

**PRAYER :-**

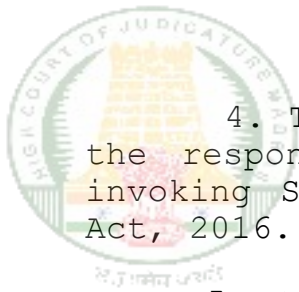
for Anticipatory Bail in Crime No.12 of 2020 on the file of the  
respondent police.

**ORDER :** The Court made the following order :-

Heard the learned counsel appearing for the petitioners 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 under sections 294(b), 323, 324  
and 506(ii) of I.P.C., in Crime No.12 of 2020 on the file of the  
respondent police, seek anticipatory bail.

3. The defacto complainant and the petitioners have a dispute  
regarding fencing. The defacto complainant appears to be a  
physically challenged person. The accused herein not only abused the  
defacto complainant by referring his disability but also attacked  
him. The first petitioner/Thennavan is said to have attacked the  
victim with aruval on his shoulder. The victim was in hospital for  
more than a week.



4. The learned Government Advocate (Crl. Side) submitted that the respondent police may have to file an alteration report by invoking Section 92(a) of the Rights of Persons with Disabilities Act, 2016.

5. Since serious allegations have been made more against the first petitioner, this criminal original petition is dismissed as regards the first petitioner.

6. The other petitioners are not having any previous case. Hence, I am inclined to grant anticipatory bail to the petitioners 2 to 6 with certain conditions. Accordingly, the petitioners 2 to 6 are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Devakottai, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two common sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners 2 to 6 shall appear before the respondent police as and when required for interrogation. The petitioners 2 to 6 shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioners 2 to 6 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/-  
30/01/2020

/ TRUE COPY /

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

**TO**

1. THE JUDICIAL MAGISTRATE, DEVAKOTTAI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.
3. THE INSPECTOR OF POLICE,  
THIRUVEGAMPET POLICE STATION,  
SIVAGANGAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.RIGHT LAW ASSOCIATES, (SR-1879[I] dated 30/01/2020)

ORDER IN  
CRL OP(MD) No.1582 of 2020  
Date :30/01/2020

IAS  
TE/PN/SAR-IV : 06/02/2020 : 2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>