



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.1754 of 2020

Vijayasankar

... Petitioner/Sole Accused

Vs

1. State Rep.by
The Deputy Superintendent Of Police,
Srivaikundam Sub Division,
Thoothukudi District. ... 1st Respondent/ Investigating Officer
2. The Inspector of Police,
Sawyerpuram Police Station,
Sawyerpuram, Thoothukudi District.
(Crime No.7 of 2020). ... 2nd Respondent/ Complainant
3. Muniyandi ... 3rd Respondent/ Defacto Complainant

For Petitioners : M/s.A.Thiruvadi Kumar,
Advocate.

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

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

PRAYER :-

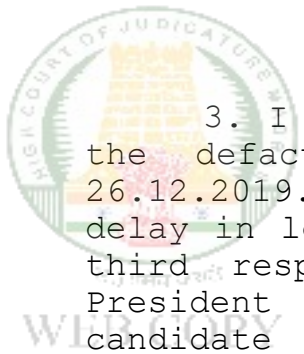
(SC/ST Act) for Anticipatory Bail in Crime No.7 of 2020 on the file of the respondent police.

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 respondents 1 and 2.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 294(b) and 506(ii) of I.P.C. and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, in Crime No.7 of 2020 on the file of the respondent police, seeks

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



3. I went through the contents of the FIR. Even according to the defacto complainant, the occurrence had taken place on 26.12.2019. But the complaint was lodged only on 27.01.2020. The delay in lodging the complaint has not at all been explained. The third respondent was a contestant for the post of Panchayat President and he has also won. The petitioner was the rival candidate and he has lost. Therefore, the possibility of false implication on account of political rivalry appears to be rather evident.

4. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned II Additional Sessions Court (PCR), 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 Court 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 Court 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/-
06/02/2020

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

TO

1. THE II ADDITIONAL SESSIONS JUDGE (PCR), TIRUNELVELI.
2. THE DEPUTY SUPERINTENDENT OF POLICE, SRIVAICKANDAM SUB DIVISION, THOOTHUKUDI DISTRICT.
3. THE INSPECTOR OF POLICE, SAWYERPURAM POLICE STATION, SAWYERPURAM, THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1CC to M/s.A.THIRUVADIKUMAR, Advocate (SR-2493[I] dated 06/02/2020

ORDER IN
CRL OP(MD) No.1754 of 2020
Date :06/02/2020