



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/02/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.3301 of 2020

Nandhakumar, ... Petitioner/Accused No.2

Vs

1. The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai District
(Crime No.45 of 2020). ... 1st Respondent/Complainant
2. Manikandan, ... 2nd Respondent/Victim
3. Marikkannu, ... 3rd Respondent/Defacto Complainant

For Petitioner : M/s.G.Mathavan,
Advocate.

For Respondents : Mr.A.Robinson,
Govt. Advocate (Crl.Side) for R1

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

PRAYER :-

For Anticipatory Bail in Crime No.45 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. The petitioner apprehending arrest at the hands of the respondent police for the offences under sections 294(b), 324, 109, 307 of I.P.C. r/w. Sections 3(1)(r), 3(1)(s) and 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 in Crime No.45 of 2020 on the file of the second respondent police, seeks anticipatory bail.



3. The learned Government Advocate (Crl. Side) points out that the victim is still in Devadass hospital. But it appears that the first accused who had committed the offence in question and this petitioner only facilitated the escape of the first accused in a two wheeler.

4. Taking note of these aspects, I am of the view that the offences under SC/ST (POA) Act are not made out against the petitioner. Hence, 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 Special Court for PCR Act Cases, Pudukkottai, 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/-
26/02/2020

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

TO

1.THE JUDGE, SPECIAL COURT FOR PCR ACT CASES, PUDUKKOTTAI.

2. THE INSPECTOR OF POLICE,
THIRUGOKARNAM POLICE STATION, PUDUKKOTTAI DISTRICT

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

+1 CC to M/s.G.MATHAVAN, Advocate (SR-4108[I] dated 26/02/2020)

ORDER
IN
CRL OP(MD) No.3301 of 2020
Date :26/02/2020

IAS
AE/PN/SAR-II (03.03.2020) 2P 5C