



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 28/02/2020
PRESENT

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

CRL OP(MD) . No.3820 of 2020

1. Nandhini
2. Latha

... Petitioners/Accused No.1 & 2

Vs

1. The Deputy Superintendent Of Police,
Aruppukottai Sub Division,
Virudhunagar District..

2. State Rep.by
The Inspector of Police,
Thiruzuli Police Station,
Virudhunagar District.
(Crime No.296 of 2019).

... Respondent/ Complainant

3. Muthumari ... Respondents/ Defacto Complainant

For Petitioners : M/s.V.Baskaran, Advocate.

For Respondents : Mr.A.Robinson,

Govt. Advocate (Crl.Side) for R1 & R2

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

PRAYER :-

For Anticipatory Bail in Crime No.296 of 2019 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 respondents 1 and 2.

2. The petitioners apprehending arrest at the hands of the respondent police for the offences under sections 294(b) and 323 of I.P.C. and Sections 3(1)(r) and 3(1)(s) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, of I.P.C., in Crime No.296 of 2019 on the file of the second respondent police, seek anticipatory bail.

3. I went through the contents of the FIR. It is seen that the petitioners are running a nursery school and the children studying



in the petitioners' school had caused nuisance to the defacto complainant. This appears to be the motive for the occurrence. The defacto complainant sustained only simply injuries. I am of the view that a quarrel of this nature has been given a communal colour.

4. The petitioners' counsel on instructions that the petitioners will take a demand draft for a sum of Rs.5,000/- favouring the defacto complainant and enclose the same along with the surrender petition. The Court below shall take steps to hand over the same to the defacto complainant through the respondent police. Of course this is without prejudice to the petitioners defence in the trial.

5. Subject to these condition, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned PCR Court, Srivilliputhur, Virudhunagar District, and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the satisfaction of the Court concerned and on further condition that the petitioners shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

6. The petitioners 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/-
28/02/2020

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

TO

1. THE JUDGE, PCR COURT, SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
ARUPPUKOTTAI SUB DIVISION, VIRUDHUNAGAR DISTRICT.
3. THE INSPECTOR OF POLICE,
THIRUZULI POLICE STATION, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.PRABU, Advocate (SR-4465[I] dated 28/02/2020)

ORDER IN
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