



WEB COPY

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

Date : 22/05/2020

PRESENT

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

CRL OP(MD) . No.5234 of 2020

BOSE

... PETITIONER/ACCUSED NO.6

VS

1.STATE THRO
THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUMANGALAM, MADURAI DISTRICT..

2.THE INSPECTOR OF POLICE,
KALLIKUDI POLICE STATION,
MADURAI DISTRICT,
(CRIME NO.30 OF 2020) .

... RESPONDENTS/COMPLAINANTS

3. GURUSAMY

... 3rd RESPONDENT/DEFACTO-COMPLAINANT

For Petitioner : M/s.D.Farjana Ghoushia,
Advocate.

For R1 & R2 : 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.30 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.

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



2. The petitioner is figuring as A6 in Crime No.30 of 2020 registered on the file of the second respondent for the offences punishable under sections 147, 148, 294(b), 323, 324, 307, 506(ii) of I.P.C., r/w Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015.

3. Though this case involves the offences under Sections 147, 148, 294(b), 323, 324, 307, 506(ii) of I.P.C., r/w Sections 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Amendment Act, 2015, the petitioner being a member of the scheduled caste community may not really attract the charge under the Special Act.

4. The learned Government Advocate (Crl.side) points out that the petitioner is having bad antecedents.

5. It appears that the specific overt act attributed to the petitioner in this case is not that serious. He is alleged to have used bare hands to attack the defacto complainant.

6. Taking note of these aspects, I am inclined to grant anticipatory bail to the petitioner. The petitioner is given eight weeks to surrender before the concerned Court.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned III Additional District and Sessions Judge, Madurai (Special Court for PCR Cases), 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 learned III Additional District and Sessions Judge, Madurai (Special Court for PCR Cases) 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.

8. The petitioner shall appear before the III Additional District and Sessions Judge, Madurai (Special Court for PCR Cases), within a period of eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
22/05/2020

/ TRUE COPY /

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



TO

1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE
(SPECIAL COURT FOR PCR CASES), MADURAI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUMANGALAM, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
KALLIKUDI POLICE STATION,
MADURAI DISTRICT,

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

ORDER

IN

CRL OP(MD) No.5234 of 2020

Date :22/05/2020

rmi

JM/PN/SAR 2/26.05.2020/3P/5C