



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

Tuesday, the Fourth day of August Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.14748 of 2015

MOHAN

... PETITIONER/ACCUSED No.2

Vs

1 THE INSPECTOR OF POLICE,
PANAYAPATTI POLICE STATION, PUDUKKOTTAI
DISTRICT. (CR.NO.126/08)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.E.BALASUBRAMANIAN Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC. 438 CR.P.C.

ORDER : The Court Made the following order :-

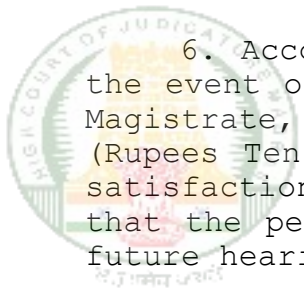
The petitioner, who is arrayed as A2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 457 and 380 IPC in Crime No.126 of 2008 on the file of the respondent police and hence, seeks anticipatory bail, in pursuant to the NBW issued by the learned Judicial Magistrate, Thirumayam in C.C.No.58 of 2009.

2. The learned Counsel appearing for the petitioner submitted that the occurrence took place in the year 2008 and he has regularly appearing and due to ill-health the petitioner has not appeared and hence NBW has been issued by the learned Judicial Magistrate, Thirumayam, on 26.12.2014. He further submits that the petitioner undertakes to appear in all the future hearings without fail.

3. It is submitted by the learned Government Advocate (Crl.side) that in the year 2010 NBW was issued and thereafter the same was recalled. This is the second time the NBW has been issued against the petitioner and the other accused have been appearing regularly except this petitioner.

4. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondent.

5. Considering the submissions made by the learned Government Advocate (Crl.side), this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.



6. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance before the learned Judicial Magistrate, Thirumayam, and on 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 Magistrate concerned and on further condition that the petitioner shall appear before the concerned Magistrate for all future hearings in C.C.No.58 of 2009 without fail.

7. The petitioner 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 stands dismissed.

sd/-
04/08/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, TIRUMAYAM.
 2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUMAYAM AT PUDUKOTTAI DISTRICT.
 3. THE INSPECTOR OF POLICE, PANAYAPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.E.BALASUBRAMANIAN Advocate SR.No.44162

ORDER
IN
CRL OP(MD) No.14748 of 2015
Dated: 04/08/2015

GJM/SJW/SAR-II -06.08.2015
2P/6C