



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

Monday, the Fourteenth day of December Two Thousand Fifteen

PRESENT

THE HON'BLE MS.JUSTICE V.M.VELUMANI

CRL OP(MD) No.16707 of 2015

GURUSAMY

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REB. BY
SUB INSPECTOR OF POLICE
THENKARAI POLICE STATION
THENI DISTRICT
(CRIME NO 467 OF 2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.MUNIYANDI Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate (Crl. Side)

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

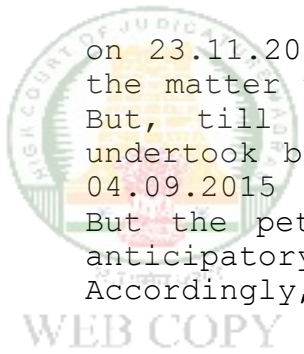
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused in Crime No.467 of 2015 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 437 of I.P.C and Section 4 of TNPPDL Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner borrowed a sum of Rs.25,000/- from the defacto complainant and when the defacto complainant demanded for repayment, he quarrelled with him and threatened him with dire consequences. Further, the petitioner set fire on the vehicle of the defacto complainant and caused damage worth about Rs.1,25,000/-.

3. Heard the submissions made by the learned counsel for the petitioner and the learned Government Advocate(Crl. Side).

4. When this petition was taken up for hearing on 04.09.2015, the petitioner offered to deposit Rs.1,25,000/- without prejudice to his right in the criminal case. On such undertaking, this Court granted anticipatory bail on certain conditions. One of such conditions is that the petitioner shall deposit Rs.1,25,000/- to the credit of Crime No.467 of 2015 before the learned Judicial Magistrate, periyakulam, within a period of four weeks from that day and on proper identification by the respondent police, the petitioner shall appear before the respondent police as and when required. Further, the matter was directed to be listed on 05.10.2015 for reporting compliance. But the petitioner did not appear before the court on the date listed. Thereafter, the matter came up for reporting compliance on number of occasions and the petitioner sought time to deposit the amount. When the matter came up



on 23.11.2015, there was no representation for the petitioner and hence the matter was directed to be listed under the caption "'for dismissal". But, till date, the petitioner has not deposited Rs.1,25,000/- as undertook by him. Anticipatory bail was granted to the petitioner on 04.09.2015 on the undertaking given by him to deposit Rs.1,25,000/-. But the petitioner failed to deposit the said amount. Therefore, the anticipatory bail granted to the petitioner is hereby cancelled. Accordingly, this Criminal Original Petition is dismissed.

sd/-
14/12/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, PERIYAKULAM
- 2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT
- 3 THE INSPECTOR OF POLICE, THENKARAI POLICE STATION, THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER
IN
CRL OP(MD) No.16707 of 2015
Date :14/12/2015

GJM/PM/MP/SARII-17.12.2015-2p-5C