



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

Tuesday, the Fourth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL OP(MD) No.18827 of 2016

GUNASEKARAN,

... PETITIONER/ACCUSED No.3

Vs

STATE REP BY ITS
THE INSPECTOR OF POLICE,
UTHAPPANAICKANNUR P.S., USILAMPATTI,
MADURAI DISTRICT.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.VELUCHAMY Advocate

For Respondent : MR.P.KANDASAMY, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Petitioner, who is arrayed as accused, prays for the grant of anticipatory bail under Section 438 of Cr.P.C. for the offences punishable under Sections 436, 435 and 427 IPC in Crime No.356 of 1998 on the file of the respondent police.

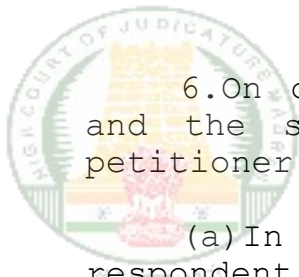
2.The case of the petitioner is that based on the complaint of the de facto complainant, the respondent Police registered a case in Crime No.356 of 1998 and filed a charge sheet and the same was taken on file in C.C.No.1140 of 1997 and committed to P.R.C.No.43 of 1997 and the same is pending in S.C.No.356 of 1998 before the III Additional Subordinate Judge, Madurai. Since the petitioner was not able to attend the court on 16.07.2002, non bailable warrant has been issued against the petitioner.

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

4.The learned counsel for the petitioner submitted that the petitioner is an agricultural cooli and no way connected with the said case and the act of the petitioner is neither willful nor wanton.

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

5.Heard the learned Government Advocate (Crl. Side).



6. On consideration of the facts and circumstances of the case and the submissions made, this Court is of the view that the petitioner can be granted the relief prayed for and accordingly;

(a) In the event of arrest by or on appearance before the respondent police;

(b) In the event of appearance before the learned III Additional Subordinate Judge, Madurai, within 15 days from the date of receipt of copy of the order,

(i) petitioner shall be enlarged on bail on executing a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum to their satisfaction;

(ii) petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer;

(iii) petitioner shall report before the III Additional Subordinate Judge, Madurai daily at 10.30 a.m. until further orders.

sd/-

04/10/2016

/ TRUE COPY /

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

TO

1 THE III ADDITIONAL SUBORDINATE JUDGE,
MADURAI

2 THE INSPECTOR OF POLICE,
UTHAPPANAICKANNUR P.S., USILAMPATTI,
MADURAI DISTRICT.

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

+1. CC to M/S.S.VELUCHAMY Advocate SR.No.58600

ORDER

IN

CRL OP(MD) No.18827 of 2016

Date : 04/10/2016

SMA/GSV-PM/SAR-III/06/10/2016 :2P/5C