



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.13331 of 2017

S.PAUL LEENUS

... PETITIONER / ACCUSED

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI CITY.
CR.NO.1042/2011

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.M.ANBUNITHI Advocate

For Respondent : MR.C.RAMESH Additional Public Prosecutor

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

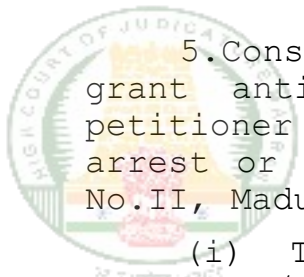
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 294(b), 323, 506(I) of I.P.C. in Crime No.1042 of 2011, which is now pending in C.C.No.2 of 2012 on the file of the learned Judicial Magistrate No.II, Madurai, seeks anticipatory bail.

2.The case of the petitioner is that the above said case is pending before the said Court from the year 2012 and due to non appearance of the petitioner on 21.10.2013, non bailable warrant was issued against him.

3.The learned counsel for the petitioner submitted that the absence of the petitioner is neither willful nor wanton and since the petitioner was admitted in the hospital, he was not able to appear before the Court on the said date. He further submitted that the petitioner is ready to cooperate with the trial without absence in future.

4.The learned Additional Public Prosecutor submitted that due to the non appearance of the petitioner, the case is pending before the court concerned from the year 2012 without any progress and non bailable warrant is pending against the petitioner.



5. Considering the facts and circumstances, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail at the event of his arrest or on his appearance before the learned Judicial Magistrate No.II, Madurai subject to the following stringent conditions:-

(i) The petitioner shall execute 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 Judicial Magistrate No.II, Madurai and

(ii) The petitioner shall appear before Judicial Magistrate No.II, Madurai, daily at 10.30 a.m. for a period of 15 days.

(iii) The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. 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.

6. The Judicial Magistrate No.II, Madurai, is directed to complete the trial proceedings within a period of two months from the date on which the order copy made ready, on day to day basis without entertaining the petitioner to file a petition under Section 317 of Cr.P.C., since the case is pending from 2012. The petitioner is directed to appear before the Court concerned for all hearing dates without fail.

sd/-

28/09/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
TALLAKULAM POLICE STATION, MADURAI CITY.

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

+1. CC to M/S.R.M.ANBUNITHI Advocate SR.No.31956

ORDER

IN

CRL OP(MD) No.13331 of 2017

Date :28/09/2017