



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

Friday, the Third day of March Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED
CRL OP (MD) No.2244 of 2017

THIRUMURUGAN

... PETITIONER/ ACCUSED NO.4

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE,
APPAIYANAICKANPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.71 OF 2015)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.S.BALAJI Advocate

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

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

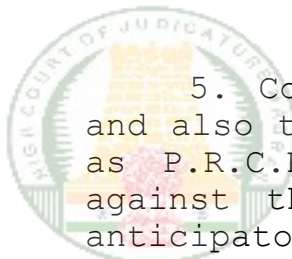
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.4, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 353, 379 and 307 of I.P.C., r/w. Section 21(1) of Mines and Minerals Act in Crime No.71 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. Anticipatory bail was granted by this Court as per order in Crl.O.P.(MD).No.5140 of 2015 dated 19.03.2015. Since the petitioner failed to appear as per order dated 19.03.2015, the petitioner filed M.P.(MD).No.1 of 2015 for extension of time and it was ordered to pay a sum of Rs.5,000/- to Rajaji Home for the aged persons, Old Natham Road, Viswanathapuram, Madurai 625 014 within a period of one week from the date of receipt of order dated 30.09.2015. Since the petitioner failed to comply the said condition, the above said Miscellaneous Petition was dismissed by this Court. Thereafter, the petitioner filed Crl.O.P.(MD).No.23664 of 2015 and it was withdrawn by the petitioner side. Thereafter, the present petition is filed for seeking anticipatory bail.

3. The learned counsel for the petitioner is willing to pay a sum of Rs.5,000/- (Rupees Five Thousand only) to Rajaji Home for the aged persons, Old Natham Road, Viswanathapuram, Madurai 625 014, as ordered in M.P.(MD).No.1 of 2015, dated 30.09.2015 and he undertakes to pay the amount at present also.

4. The learned Government Advocate (Crl.side) states that totally 4 accused in this case and is pending as P.R.C.No.2 of 2016 on the file of Judicial Magistrate No.I, Sattur and absconding charge sheet filed against the petitioner herein and Non-Bailable Warrant was issued on 05.07.2016 and is pending.



5. Considering the above facts and circumstances of the case and also the fact that absconding charge sheet was laid and pending as P.R.C.No.2 of 2016 in which Non-Bailable Warrant was issued against the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 No.I, Sattur, Virudhunagar District 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 Magistrate concerned and the petitioner shall pay a sum of Rs.5,000/- (Rupees Five Thousand only) to the Rajaji Home for the aged persons, Old Natham Road, Viswanathapuram, Madurai 625 014, within a period of one week from the date of passing of the order and the petitioner shall produce the proof of payment before the concerned Court at the time of appearance and he shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

03/03/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1.THE JUDICIAL MAGISTRATE NO-I, SATTUR.

2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR AT SRIVILIPUTTUR.

3.THE INSPECTOR OF POLICE,
APPAIYANAICKANPATTI POLICE STATION,VIRUDHUNAGAR DISTRICT.

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

5.THE OFFICER INCHARGE,
RAJAJI HOME FOR THE AGED PERSONS,
OLD NATHAM ROAD, VISWANATHAPURAM, MADURAI.

+1. CC to M/S.S.BALAJI Advocate SR.No.12258

ORDER

IN

CRL OP(MD) No.2244 of 2017

Date :03/03/2017