



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

Friday, the Twenty First day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP (MD) No.4343 of 2017

BALU

... PETITIONER/ ACCUSED NO.6

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT,
(CRIME NO. 103/2016).

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S. S. PRASANTH Advocate

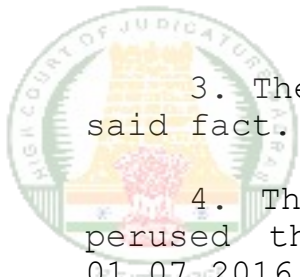
For Respondent : M/S S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.6, in Crime No.103 of 2016 on the file of the respondent police, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of I.P.C. and hence, seek anticipatory bail.

2. The learned counsel for the petitioner submitted that considering the facts and circumstances of the case, this Court had already granted anticipatory bail to the petitioners in Crl.O.P(MD) No.10875 of 2016, vide order dated 01.07.2016 on condition that the petitioner shall execute sureties within a period of fifteen days from the date on which the order copy made ready, failing which the petition for anticipatory bail stands dismissed. But the petitioner could not execute the sureties within the time prescribed by this Court. Hence, the petitioner has come forward with this petition for anticipatory bail. He further submitted that, when the matter came up for hearing on 17.04.2017, this Court directed the petitioner to pay a sum of Rs.500/- in the account opened in the name of the Registrar (Administration), (for removal of Prosopis Juli Flora (Karuvellam Trees), Savings Bank Account No.6514082295, Indian Bank, Madurai Bench of Madras High Court, Madurai on or before 20.04.2017. He further submitted that the petitioner has complied with the said direction and cost memo has also been filed to that effect.



3. The learned Government Advocate(Crl. Side) affirms the above said fact.

4. This Court heard the submissions made on either side and perused the order passed in Crl.O.P(MD)No.10875 of 2016, dated 01.07.2016.

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5.Considering the facts and circumstances of the case and also considering the fact that this Court had already granted anticipatory bail to the petitioner in Crl.O.P(MD)No.10875 of 2016, dated 01.07.2016, 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 arrest or on his appearance before the learned Judicial Magistrate, Aruppukottai 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 on further condition that the petitioner shall appear before the respondent police daily at 10.00 a.m., until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

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/-
21/04/2017

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

TO

1.THE JUDICIAL MAGISTRATE, ARUPPUKOTTAI.

2.DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRDHUNAGAR AT SRIVLIPUTTUR.

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

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

ORDER
IN
CRL OP(MD) No.4343 of 2017
Date :21/04/2017