



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2017

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Crl.O.P. (MD) No.4959 of 2017

WEB COPY

P.Kasilingam

... Petitioner

-vs-

State represented by
The Inspector of Police
SIPCOT Police Station
(Previously Thattaparai PS)
Thoothukudi District.
(Crime No.22/2001)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District to refund the deposit of Rs.3,00,000/- vide Receipt No.A39439 dated 29.10.2001 deposited pursuant to the order passed by this Honourable Court in Crl.O.P.No.20272 of 2001 dated 15.10.2001.

For petitioner

:Mr.A.Thiruvadi Kumar

For respondent

:Mr.A.P.Balasubramani

Govt. Advocate (Crl. Side)

O R D E R

This petition has been filed to direct the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District to refund the deposit of Rs.3,00,000/- vide Receipt No.A39439 dated 29.10.2001 deposited pursuant to the order passed by this Honourable Court in Crl.O.P.No.20272 of 2001 dated 15.10.2001.

2. On the complaint lodged by the Assistant Executive Engineer, Tamil Nadu Electricity Board, Tuticorin North, the respondent police registered a case in Crime No.220 of 2001 on 24.09.2001 for offences under Sections 39(1) 44(1)(C) of the Electricity Act, 1910 against two accused, namely, Tamizharasi (A1) and Kasilingam (A2). Apprehending arrest, Kasilingam filed Crl.O.P.(MD) No.20272 of 2001 for anticipatory bail under Section 438 Cr.P.C. before the Principal Seat and this Court by order dated 15.10.2001 granted the relief on the condition that the petitioner should deposit a sum of Rs.3,00,000/- before the Lower Court within two weeks. In compliance of the order, the petitioner deposited Rs.3,00,000/- before the learned Judicial Magistrate No.I, Tuticorin vide Receipt No.A39439 on 29.10.2001. The police completed the investigation and filed a charge sheet in C.C.No.384 of 2002 against Kasilingam, in which Kasilingam was acquitted by the Magistrate on 17.02.2011. Therefore, Kasilingam is before this Court for a direction to the learned Judicial Magistrate No.I,

