



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

Friday, the Twenty Eighth day of April Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5423 of 2017

SAHA,

... PETITIONER / ACCUSED RANK NOT KNOWN

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.199/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.BALAN Advocate

For Respondent : M/S.S.PRABHA, Government Advocate(Criminal Side),

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

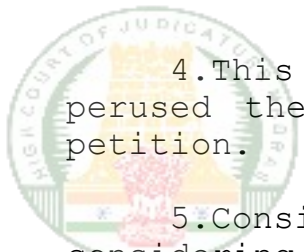
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused in Crime No.199 of 2015 on the file of the respondent Police, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324 and 307 IPC in Crime No.199 of 2015 and hence, seeks 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 petitioner in Crl.O.P.(MD) No.70 of 2017 vide order dated 04.01.2017 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 complying with the said conditions 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 28.04.2017 (today), 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 (Karuvelam Trees), Savings Bank Account No.6514082295, Indian Bank, Madurai Bench of Madras High Court, Madurai. He further submitted that the petitioner had complied with the said direction and cost memo has also been filed to that effect.

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

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 earlier order passed in above said Criminal Original petition.

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 above said Criminal Original petition, 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 their appearance before the learned Judicial Magistrate, Peraiyur, and on each executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 10.30 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/-
28/04/2017

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
PERAIYUR, MADURAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE,
ELUMALAI POLICE STATION, MADURAI DISTRICT.

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

+1. CC to M/S.P.BALAN Advocate SR.No.21781