



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 14.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No. 7165 of 2017

WEB COPY

Visagan : Petitioner

-Vs-

The State represented by
The Inspector of Police,
District Crime Branch,
Sivagangai. : Respondent

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to direct the learned Judicial Magistrate, Karaikudi permit the petitioner to withdraw the amount deposited by the petitioner in Crime No.4 of 2007 on the file of the learned Judicial Magistrate, Karaikudi.

For Petitioner : Mr.G.Thiruvarutselvan
For Respondent : Mr.K.Anbarasan
Government Advocate (Crl.Side)

O R D E R

The petitioner was an accused in District Crime Branch Cr.No.4 of 2006 and he filed Crl.O.P.(MD)No.8413 of 2017 for anticipatory bail and this Court, by order dated 18.08.2007 granted anticipatory bail on the following conditions:

"However this is a case of regular bail and condition to be imposed should not be onerous. Hence, I would like to grant bail to the petitioner subject to the following conditions:

(i) the petitioner shall deposit as security a sum of Rs.50,000/- (Rupees fifty thousand only) in Crime No.4 of 2006 before the learned Judicial Magistrate, Karaikudi and thereupon he shall be released on bail on his executing a bond for a sum of Rs.5,000/- (Rupees five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Karaikudi; and

(ii) the petitioner should report before the respondent police daily at 10.00 a.m. until further orders.



5. The said amount shall not be released without the order of this Court."

2. In compliance of the above said conditions, the petitioner deposited Rs.50,000/- (Rupees fifty thousand only) on 22.08.2007 before the learned Judicial Magistrate, Karaikudi. The investigation in Cr.No.4 of 2006 was completed and the charge sheet in C.C.No.97 of 2012 was filed before the learned Judicial Magistrate No.II, Sivagangai, in which this petitioner was acquitted on 26.05.2015. The State has not preferred any appeal against the acquittal.

3. In view of the above, the learned Judicial Magistrate, Karaikudi is directed to refund the sum of Rs.50,000/- (Rupees fifty thousand only) to the petitioner on proper identification and verification. If this amount of Rs.50,000/- (Rupees fifty thousand only) has been transferred to the file of the learned Judicial Magistrate No.II, Sivagangai in the meantime, then the learned Judicial Magistrate No.II, Sivagangai shall refund the amount to the petitioner on proper identification and verification.

4. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Records)

/True copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate Court, Karaikudi.
2. The Judicial Magistrate Court No.II, Sivagangai.
3. The Inspector of Police,
District Crime Branch,
Sivagangai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate, SR No. 60146.

SSL

PSM/KKR/SAR4/21.06.2017/2P/6C

CRL.O.P.(MD) No.7165 of 2017
14.06.2017