



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

Wednesday, the Seventeenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL MP(MD) No.10144 of 2017
IN
CRL OP(MD) No.9861 of 2016

P.SIVASUBRAMANIAN,

... PETITIONER/INTERVENOR

Vs

1 MURUGAN,
2 G.ANANDAKUMAR,
3 S.RAJASEKAR,

...RESPONDENTS 1 to 3/PETITIONERS

4 INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.

...4th RESPONDENT/1st RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to permit the petitioner herein to withdraw the amount of Rs.15,000/- deposited to the credit of Cr.No.375 of 2016 on the file of the Judicial Magistrate, Rajapalayam vide order mad ein Crl.O.P.(MD) No.9861 of 2016 dated 22.6.16 and thus render justice.

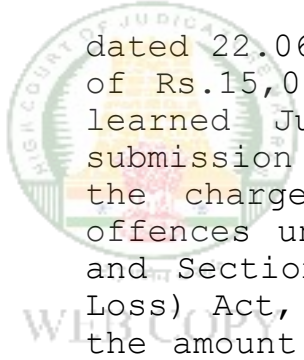
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of MR.S.VENKATESH, Advocate for the Petitioner, and of MR.K.SUYAMBULINGA BHARATHI, Government Advocate (Crl.side) for the Respondent No.4 and of MR.M.JOTHI BASU, Advocate for the Respondents 1 to 3 the court made the following order:-

This Petition has been filed to permit the petitioner herein to withdraw the amount of Rs.15,000/- deposited to the credit of Cr.No.375 of 2016 on the file of the Judicial Magistrate, Rajapalayam vide order made in Crl.OP(MD)No.9861 of 2016, dated 22.06.2016.

2. Heard the learned Counsel appearing for the petitioner.

3. The learned Government Advocate (Criminal Side) appearing for the State would submit that the criminal proceedings are pending before the concerned Magistrate.

4. Considering the submissions made by either side, during the time of granting anticipatory bail in Crl.OP(MD)No.9861 of 2016,



dated 22.06.2016, this Court directs the petitioner to deposit a sum of Rs.15,000/- to the credit of Crime No.375 of 2016, before the learned Judicial Magistrate, Rajapalayam. Further, as per the submission made by the learned Government Advocate (Crl.Side) that the charge sheet has been laid against the petitioner for the offences under Sections 147, 148, 447, 294(b), 506(ii), 109 of IPC and Section 4 of Tamil Nadu property (Prevention of Damage and Loss) Act, In earlier this Court directed the petitioner to deposit the amount in order to compensate the damages if necessary. As of now, both counsels submitted that the amount is not disbursed. So, before disposal, of the case they are asking to refund the deposit amount without any bonafide reasons.

4. Considering the nature of offence committed by the petitioner and also considering the facts and circumstances of the case, this petition is dismissed.

sd/-
17/01/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
RAJAPALAYAM
- 2 THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
- 3 INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

GJM/CM/VR/SAR-4-25.1.18-2P-5C

ORDER
IN
CRL MP (MD) No.10144 of 2017
IN
CRL OP (MD) No.9861 of 2016
Date :17/01/2018