



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

Thursday, the Twenty Seventh day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr Justice B.PUGALENDHI

CRL OP (MD) No.22941 of 2018

V. MURUGAN @ BULLET MURUGAN ... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. THROUGH
THE INSPECTOR OF POLICE
VALLIYUR POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO. 74 OF 2015

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.VINAYAK Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI
Govt. Advocate (Crl. Side)

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

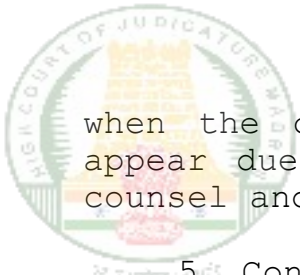
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police pursuant to the non-bailable warrant issued against the petitioner in S.C.No.182 of 2018 on the file of the learned Assistant Sessions Judge, Valliyur, for the alleged offence punishable under Sections 294(b), 307 and 506(ii) of I.P.C in Crime No.74 of 2015 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate [Criminal Side] for the respondent State.

3. According to the petitioner, non-appearance of the petitioner is neither willful nor wanton, but due to his illness he was unable to appear before the Court below on the date of hearing ie., on 06.12.2018. He undertakes to appear before the Court below on future hearing dates without fail and to pay some amount to the District Legal Aid Services Authority.

4. The learned Government Advocate [Criminal Side] submits that the case is committed to the Court of Sessions in the year 2018 and



when the case is posted for questioning, the petitioner did not appear due to his illness. But, the petitioner did not engage a counsel and file 317 Cr.P.C petition for condoning his absence.

5. Considering the facts and circumstances of the case and also taking into consideration the fact that the petitioner called absent for only one hearing and he is ready to appear before the Court below on all the future hearing dates without fail, this Court is inclined to grant Anticipatory Bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Valliyoor and on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a likesum to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall file an affidavit of undertaking stating that he will report before the trial Court concerned on all the future hearing dates without fail.

[ii] the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand Only) to the District Legal Aid Services Authority, Tirunelveli District, within a period of fifteen days from the date of receipt of a copy of this order.

6. 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 shall stand dismissed.

sd/-
27/12/2018

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
VALLIYOOR, TIRUNELVELI DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI

3 THE INSPECTOR OF POLICE
VALLIYUR POLICE STATION,
TIRUNELVELI



COPY TO:- THE OFFICER IN- CHARGE
DISTRICT LEGAL AID SERVICES AUTHORITY,
TIRUNELVELI DISTRICT

WEB COPY

+1. CC to MR.S.VINAYAK Advocate SR.No. 24079

ORDER
IN
CRL OP (MD) No.22941 of 2018
Date :27/12/2018

MSI/JC/SAR-IV/02.01.2019-3P/7C