



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2019

WEB COPY

PRESENT

The Hon'ble Mr.Justice G.R.Swaminathan

CRL OP(MD) . No.8837 of 2019

1.Selvamani,
2.Rajkumar, ... Petitioners/Accused Nos.4 & 5

Vs

The State rep.by
The Inspector of Police,
Sipcot Police Station,
Thoothukudi District.
(Crime No.211 of 2019). ... Respondent/Complainant

For Petitioner : M/s.V.Malaiyendran,
Advocate.

For Respondent : A.Robinson,
Government Advocate (Crl.Side)

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

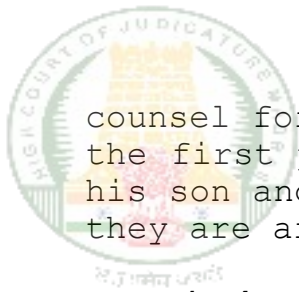
PRAYER :- For Anticipatory Bail in Crime No.211 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) for the respondent police.

2.The petitioners are figuring as A4 and A5 in Crime No.211 of 2019 on the file of the respondent police which was registered for the offences under Sections 420, 465, 467, 468 of IPC.

3.The petitioners are only purchasers. The primary allegations are only against A1 and A2. But then, it is seen that the petitioners herein have filed a subsequent criminal original petition for anticipatory bail also. This is nothing but an abuse of process. This Court was inclined to dismiss this O.P and direct the respondent to have them arrested. But then, the learned



counsel for the petitioner in the subsequent petition submitted that the first petitioner is a teacher and that the second petitioner is his son and that therefore, they would be put to immense hardship if they are arrested.

4. Therefore, moved by the representations of the learned counsel for the petitioner, I am taking an indulgent view. But then, the petitioners will have to necessarily pay cost for having played with the process of this Court.

5. Therefore, the petitioners are directed to pay a sum of Rs.10,000/- (each Rs.5,000/-) to the account opened in the name of Member Secretary, Tamil Nadu Legal Services Authority, Chennai under the head of "Environment Fund". The said amount shall be collected by the Registry, Madurai Bench of Madras High Court, Madurai through the Accounts Section and then it shall be credited into the Savings Bank Account No.6656485009, Indian Bank, Madras High Court Branch, High Court Buildings, Chennai-104, (Branch Code - 1632, IFSC Code : IDBI000M157) maintained by the Member Secretary, Tamil Nadu Legal Services Authority, Chennai.

6. Subject to the above said condition, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.III, Tuticorin and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and they shall appear before the respondent police as and when required.

7. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
03/09/2019

/ TRUE COPY /

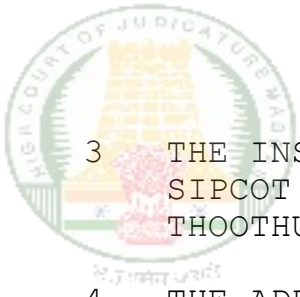
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II, TUTICORIN.

2 THE CHIEF JUDICIAL MAGISTRATE
TUTICORIN DISTRICT.

<https://hcservices.tn.nic.in/CaseDetails.aspx>



3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT.

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

COPY TO:-

1.THE MEMBER SECRETARY,
TAMILNADU LEGAL SERVICES AUTHORITY,
CHENNAI.

2.THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

3.THE BRANCH MANAGER,
INDIAN BANK, MADRAS HIGH COURT BRANCH,
HIGH COURT BUILDINGS, CHENNAI-104.

+1 CC to M/s.V.MALAIYENDRAN, Advocate (SR-14691[I] dated
04/09/2019)

ORDER

IN

CRL OP(MD) No.8837 of 2019

Date :03/09/2019

Skm

AE/MMS/SAR-IV (10.09.2019) 3P 9C