



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2019

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PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD). No.12181 of 2019

Velladurai

...Petitioner/Accused No.1

Vs

State represented by
The Inspector of Police,
Puliyangudi Police Station,
Tirunelveli District.
Crime No.151 of 2019

...Respondent/Complainant

For Petitioner : Mr.P.Mani Anandh,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Government Advocate (Crl.Side)

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

PRAYER :-

for Anticipatory Bail in crime No.151 of 2019 on the file of the
Respondent Police

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the
respondent police for the offences punishable under Sections 379 of
IPC, in Crime No.151 of 2019, seeks anticipatory bail.

2.Heard both sides.

3. Earlier this Court granted anticipatory bail to the
petitioner herein by the order dated 15.05.2019 in Cr1.O.P.(MD)
No.6703 of 2019. Relevant portion of the said order reads as
follows:

*"7.Accordingly, the petitioner is directed to deposit a sum of
Rs.10,000/- (Rupees Ten Thousand only) to the account of Patient
Welfare Society, District Headquarters Hospital, Kanyakumari and
preferably it can be utilized for the purpose of installation of UPS*

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



(inverter) in the Hospital wards depending upon the requirement within the district, on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, on 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 District Munsif cum Judicial Magistrate, Sivagiri, Tirunelveli District...."

4.The learned counsel for the petitioner has submitted that in the earlier order this Court has directed the petitioner to deposit the amount of Rs.10,000/- (Rupees Ten Thousand only) to the account of Patient Welfare Society, District Headquarters Hospital, Kanyakumari. But the said Hospital authorities are not prepared to receive the said amount and hence, he requests this Court to permit the petitioner to deposit the said amount before some other Hospital.

5.Hence, the petitioner is directed to deposit a sum of Rs.10,000/- to the credit of the District Siddha Medical Officer, CCRI, Periyakulam (payable in Account No.10767823177, IFSC Code.SBIN 000898, M.I.C.R.Code.625002601, State Bank of India, Periyakulam).

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Sivagiri, Tirunelveli District, on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[i]before executing the bail bond the petitioner shall deposit a sum of Rs.10,000/- to the credit of the District Siddha Medical Officer, CCRI, Periyakulam (payable in Account No.10767823177, IFSC Code.SBIN 000898, M.I.C.R.Code.625002601, State Bank of India, Periyakulam), without prejudice to his defence before concerned Magistrate.

(ii) If the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police for interrogation.

(iv) the petitioner shall not tamper with evidence or witness either during investigation or trial.



(v) the petitioner shall not abscond either during investigation or trial.

(vi) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

(vii) If the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
30/08/2019

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

TO

1.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
SIVAGIRI, TIRUNELVELI DISTRICT.

2.DO-THROUGH :THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3.THE INSPECTOR OF POLICE,
PULIYANGUDI POLICE STATION,
TIRUNELVELI DISTRICT.

4.THE DISTRICT SIDDHA MEDICAL OFFICER,
CCRI, PERIYAKULAM.

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

+1. CC to Mr.P.MANI ANANDH Advocate SR.No.14548

ORDER
IN
CRL OP(MD) No.12181 of 2019
Date :30/08/2019

TK/JC/SAR.4/13.09.2019/3P/7C