



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/02/2020

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) . No.1608 of 2020

C.ARUN KUMAR

... PETITIONER/ACCUSED NO.3

VS

1.THE SUPERINTENDENT OF POLICE,
OFFICE OF SUPERINTENDENT OF POLICE,
TUTICORIN.

2.THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
TUTICORIN,
CRIME NO.494 OF 2019.

... RESPONDENTS/COMPLAINANTS

For Petitioner : M/s.M.Jegadeesh Pandian,
Advocate.

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

For Intervener : Mr.N.S.karthikeyan, Advocate

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

PRAYER :-

for Anticipatory Bail in Crime No.494 of 2019 on the file of
the respondent police

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the
respondents.

2. The petitioner apprehending arrest at the hands of the
respondent police for the offences under sections 420, 467, 468, 294
(b), 506(ii) and 34 of I.P.C., in Crime No.494 of 2019 on the file
of the respondent police, seek anticipatory bail.



3. The petitioner earlier moved this Court seeking anticipatory bail and the same was dismissed on 06.01.2020. This is his second petition for anticipatory bail. The petitioner's counsel on instructions states that the petitioner will directly pay a sum of Rs.5,00,000/- to the defacto complainant company. This will be non refundable payment and did not depend on the outcome of the proceedings. However, this will not prejudice the petitioner's defence in the trial.

4. The petitioner's counsel seeks time. The petitioner is given eight weeks time to make payment of Rs.5,00,000/- to the defacto complainant company. If the petitioner does not adhere to the undertaking now given before this Court, the relief now granted will stand cancelled.

5. Subject to the said undertaking, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Tuticorin, and on his 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 on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

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/-
05/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,
TUTICORIN
- 2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TUTICORIN DISTRICT.
- 3 THE SUPERINTENDENT OF POLICE
OFFICE OF SUPERINTENDENT OF POLICE,
TUTICORIN.



4 THE INSPECTOR OF POLICE
SIPCOT POLICE STATION, TUTICORIN.

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

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-2333[I] dated 05/02/2020)
+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-2351[I] dated 05/02/2020)

ORDER
IN
CRL OP(MD) No.1608 of 2020
Date :05/02/2020

IAS
JM/PN/SAR 4/11.02.2020/3P/8C