



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

Date : 17/02/2020

PRESENT

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

CRL OP(MD). No.2717 of 2020

WEB COPY

Periyasamy

... Petitioner/Accused No.1

Vs

State rep. By,
The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District
(Crime No.84 of 2016).

... Respondent/Complainant

For Petitioner : M/s.S.M.Sanjay,
Advocate.

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

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

PRAYER :-

to enlarge the petitioner on bail in event of his arrest in
C.C.No.53 of 2017 on the file of the learned Judicial Magistrate,
Devakottai

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 respondent.

2. The petitioner is facing trial in C.C.No.53 of 2017 on the
file of the learned Judicial Magistrate, Devakottai in the offences
under Section 341, 294(b), 324 and 506(ii) of I.P.C., in Crime No.84
of 2016 on the file of the respondent police, seeks anticipatory
bail.

3. A Non-bailable warrant was issued against the petitioner on
17.03.2017. The petitioner had gone abroad for employment.

4. The petitioner through his counsel gives an undertaking
that he will appear in all the future hearings without any default.
If he is unable to appear, his counsel will represent him and file
an application under Section 317 of Cr.P.C. On account of the
petitioner's absence, trial will not be stalled. If this undertaking
is breached, the order now passed will stand vacated automatically
and the petitioner will be remanded to custody.



5. Recording the said undertaking given by the petitioner through his counsel, the petitioner is directed to appear before the Court below on 02.03.2020 and apply for recall of warrant. On such application is being filed, the Court below shall recall the warrant at the end of the day. Non Bailable Warrant shall be kept in abeyance till then.

6. The petitioner undertakes to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non refundable deposit to the bank account of the Superintendent, Government Observation Home, Kamarajar Salai, Madurai, bearing Account No.161401000024282, MICR Code : 625020012, IFSC Code: IOBA0001614, Indian Overseas Bank, Teppakulam Branch, Madurai.

7. The Criminal Original petition stands disposed of, on these terms.

sd/-
17/02/2020

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT

2 THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT

3 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT

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

COPY TO:

THE SUPERINTENDENT,
GOVERNMENT OBSERVATION HOME,
KAMARAJAR SALAI, MADURAI

+1. CC to M/S.S.M.SANJAY Advocate SR.No.3309

ORDER

IN

CRL OP(MD) No.2717 of 2020

Date :17/02/2020

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<https://hcmv.cslm/Case/In/4/Service/2020.02.2020>) 2P 7C