



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

Date : 10/07/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.4880 of 2020

Dharmaraj (Dharma)

... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
Cr.No.55 of 2020.

... Respondent/Complainant

For Petitioner : M/s.A.Jeyaram,
Advocate.

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

For Intervenor : Mr.Satheesh Kumar
Advocate.

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

PRAYER :-

For Anticipatory Bail in Crime No.55 of 2020 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(Criminal Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.55 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The learned Government Advocate(Criminal Side) points out that the petitioner is having a bunch of previous cases and that the overt act is also attributed against him. He would also point out that earlier anticipatory bail petitions were dismissed.



4. I find the objections are quite formidable. But then, considering the current pandemic times, this Court shows indulgence. The petitioner undertakes to take a Demand Draft for a sum of Rs.5,000/- favouring the defacto complainant and enclose the same along with surrender petition. It will be a non-refundable payment. The Court below shall arrange to hand over the same to the defacto complainant directly through the respondent. This is of course without prejudice to the defence of the petitioner in the trial.

5. In view of the above, 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, Madurai, 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 eight weeks from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
10/07/2020

/ TRUE COPY /

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDICIAL MAGISTRATE NO II,
MADURAI.

2. DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.madurai.judiciary.gov.in/hcservices/>



3. THE INSPECTOR OF POLICE,
KARUPPAYOORANI POLICE STATION,
MADURAI DISTRICT.

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

ORDER

IN

CRL OP (MD) No.4880 of 2020

Date :10/07/2020

PMU

SRS/ JC/ SAR-II/ 14.07.2020/ 3P/5C