



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/06/2020

WEB COPY

PRESENT

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

CRL OP(MD) . No.5223 of 2020

ESAKKIMUTHU

... PETITIONER/2nd ACCUSED

vs.

STATE REP. BY
THE INSPECTOR OF POLICE,
NAZARETH POLICE STATION,
NAZARETH.
CRIME NO.176 OF 2019).

... RESPONDENT/COMPLAINANT

For Petitioner : M/s.K.P.Narayanakumar, Advocate.

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

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

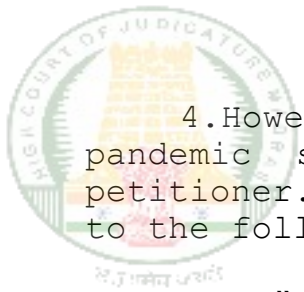
PRAYER :-For Anticipatory Bail in Crime No.176 of 2019 on the file of the Respondent Police.

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 respondent.

2.The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C., in Crime No.176 of 2019 on the file of the respondent police, seeks anticipatory bail.

3.One and half units of river sand is involved in this case. The petitioner's earlier petition for anticipatory bail suffered a dismissal on account of his bad antecedents.The learned Government Advocate (Crl.side) rightly points out that there is no change in circumstance.



4.However, considering the lapse of time and the current pandemic situation, I am inclined to grant relief to the petitioner. The petitioner undertakes to remit a sum of Rs.30,000/- to the following account :

"Govt.Hr.Sec.School,
Lakshmipuram, Periyakulam,
Account Number : 10767821023,
IFSC Code : SBIN0000898,
MICR Code : 625002601".

This will be an unconditional payment and will not be refunded. The amount in question shall be utilized for equipping the library of the school in question. The learned Principal District Judge, Theni shall personally monitor the utilisation of this amount. He will ensure that books really that meet the needs of the students are purchased. The books will be general books intended to motivate and inspire the children.

5.Recording the undertaking given by the petitioner, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Sathankulam, 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. 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/-
05/06/2020

/ 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 PRINCIPAL DISTRICT JUDGE,

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



2 THE JUDICIAL MAGISTRATE,
SATHANKULAM.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

4 THE INSPECTOR OF POLICE
NAZARETH POLICE STATION, NAZARETH.

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

COPY TO:

THE HEAD MASTER,
GOVERNMENT HIGHER SECONDARY SCHOOL,
LAKSHMIPURAM, PERIYAKULAM.

ORDER

IN

CRL OP(MD) No.5223 of 2020

Date :05/06/2020

RMI

JM/PN/SAR 3/08.06.2020/3P/7C