



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

Date : 08/06/2020

PRESENT

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

CRL OP(MD) . No.5072 of 2020

Essakimuthu, ... Petitioner/Sole Accused

Vs

The State rep.by its
The Inspector of Police,
Vanniyampatti Vilakku Police Station,
Virudhunagar District.
Crime No.177 of 2018.

... Respondent/Complainant

For Petitioner : Mr.C.Vakeeswaran,
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 the event of his arrest in
CR.No.177 of 2018 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 306 of
I.P.C., in Crime No. 177 of 2018 on the file of the respondent
police, seeks anticipatory bail.

3.The occurrence had taken place on December 2018. It is
brought out by the petitioner's counsel that in respect of the same
occurrence, one complaint was given by victim's father and another
complaint was given by victim's sister. The petitioner was arrested
in the complaint given by victim's sister. He has also later come
out on bail. Since the occurrence took place in December 2018 and
more than 1½ years lapsed. I am of the view that no purpose will be



served by arresting the petitioners. Hence, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate Court No.II, Srivilliputhur, Virudhunagar 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.

4. 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/-

08/06/2020

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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,
SRIVILLIPUTHUR, VIRUDHUNAGAR DISTRICT.
2. DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
3. THE INSPECTOR OF POLICE,
VANNIYAMPATTI VILAKKU POLICE STATION, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5072 of 2020

Date :08/06/2020

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<https://hccs.csls.gov.in/fcse/vlcs/2020.06.2020>) 2P 5C