



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

Date : 05/06/2020

PRESENT

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

CRL OP (MD) . No.5688 of 2020

Appallo ... Petitioner/1st Accused

Vs

The State rep.by
The Inspector of Police,
Sattankulam Police Station,
Thoothukudi District.
(Crime No.233/2019).

... Respondent/Complainant

For Petitioner : M/s.P.Suresh,
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. 233 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.

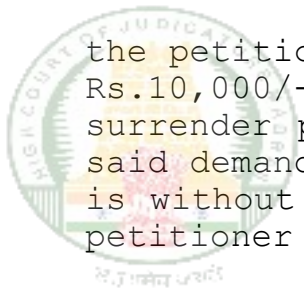
2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 323, 324 and 506(ii) of I.P.C., in Crime No.233 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The petitioner's earlier petition for anticipatory bail was dismissed by me taking note of the specific overt acts attributed to him. The petitioner has renewed his petition for anticipatory bail by offering to pay a sum of Rs.10,000/- to the victim.

4.This payment will of-course be without prejudice to his defence in the trial.

5.The petitioner's counsel states that the petitioner is an M.Ed student and his exams are likely to take place next month.

6.Taking note of the mitigating circumstances pleaded by the petitioner's counsel, I am inclined to grant anticipatory bail to



the petitioner. The petitioner will take a demand draft for a sum of Rs.10,000/- favoring the victim and enclose the same along with the surrender petition. The Court below will arrange to hand over the said demand draft to the victim through the respondent police. This is without prejudice to the petitioner's defence in the trial. The petitioner is given eight weeks time to surrender.

7. 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, Sattankulam, 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.

8. 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/-

05/06/2020

/ 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 JUDICIAL MAGISTRATE, SATTANKULAM.
- 2 DO THROUGHT THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
SATTANKULAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI, MADURAI.

ORDER

IN

CRL OP(MD) No.5688 of 2020

Date :05/06/2020