



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.7074 of 2020

P.Ganesan

... Petitioner/Accused No.2

Vs

The State rep. by
The Inspector of Police,
Kadupatty Police Station,
Madurai District.
Crime No.227 of 2019.

... Respondent/Complainant

For Petitioner : M/s.R.J.Karthick,
Advocate.

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

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

PRAYER :-

For Anticipatory Bail in Crime No. 227/2019 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(Criminal Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 379 of I.P.C. and Section 21(5) of Mines and Minerals(Development and Regulation) Act 1957, in Crime No.227 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. The learned Government Advocate(Criminal Side) pointed out that the petitioner's earlier petition for anticipatory bail was dismissed in view of his bad antecedents and there is no change in circumstance.



4. Though the said objection is formidable and has substance, in view of the current pandemic situation, I am of the view that the petitioner can be shown indulgence. The petitioner is said to be on the run for the last several months and the petitioner undertakes that he will take a Demand Draft for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Mangayar Mangalam, Bank of Baroda, Egmore Branch, Chennai - 600 008 in S.B.A/c. No.12730100005505 and IFSC: BARB0EGMORE. This will be a non-refundable payment. This is of course without prejudice to the defence of the petitioner in the trial.

5. Subject to this condition, 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, Vadipatti, 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,
VADIPATTI.



- ORDER
IN
CRL OP(MD) No.7074 of 2020
Date :10/07/2020

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