



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/07/2020

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PRESENT

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

CRL OP(MD) . No.6511 of 2020

Abishek @ Abisek

... Petitioner/Accused No.2

Vs

The State Rep. by
The Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
(Cr.No. 960 of 2020).

... Respondent/Complainant

For Petitioner : M/s.R.G.Shankar,
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. 960 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(Crl. Side) appearing for the respondent.

2. The petitioner apprehending arrest at the hands of the respondent police for the offences punishable under sections 392 of I.P.C., in Crime No.960 of 2020 on the file of the respondent police, seeks anticipatory bail.

3. The learned Government Advocate(Crl. Side) points out that the petitioner has involved in yet another case and that his earlier petitions for anticipatory bail suffered a dismissal and that there is no change in circumstance.



4. The petitioner's counsel points that the petitioner is an ITI student and that in the earlier case, he is not at all involved and he will be in a position to even produce the defacto complainant in the so-called earlier case.

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5. The learned Government Advocate(Crl. Side) states that in the present case, the recoveries have already been made.

6. I went through the contents of the First Information Report. In the First Information Report itself, the petitioner has been named. Therefore, it is not necessary to subject the petitioner to test identification. Considering the fact that the petitioner is a young student, I am of the view that his arrest may spoil his future. The petitioner's counsel would state that the petitioner appears to have placed mischief in the locality and probably in order to teach him a lesson and discipline him, the police have implicated him. Of course this possibility cannot be ruled out. I am of the view that the arrest of the petitioner may not really be necessary.

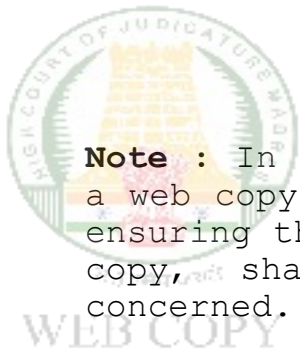
7. In view of the above, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.I, Madurai, and on his executing a bond for 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.

8. 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.I, MADURAI.
2. -DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE,
AVANIYAPURAM POLICE STATION,
MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.6511 of 2020
Date :10/07/2020

PMU
TE/JC/SAR-III : 14/07/2020 : 3P/5C