



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

Date : 12/10/2020

PRESENT

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

CRL OP(MD). No.10945 of 2020

R.Rajasekar

... Petitioner/Accused No.7

Vs

State Rep. by
The Inspector of Police,
Bodi Town Police Station,
Bodinayakanur, Theni District.
Crime No.245 of 2020.

... Respondent/Complainant

For Petitioner : M/s.H.Velavadhas, 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 Cr.No.245 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 originally filed this petition for anticipatory bail as he apprehended arrest at the hands of the respondents for the offences under Sections 149, 498(A), 302 of IPC @ 149, 498(A), 342, 302 and 201 of IPC.

3. This Court indicated that if the petitioner would surrender, this criminal original petition will be converted into bail petition.

4.Taking cue therefrom, the petitioner surrendered. Since in this case charge sheet has already been filed, no purpose will be served in keeping the petitioner inside. The role of the petitioner appears to be also rather limited. The other accused have been arrested and granted bail also.



5. Taking note of these aspects, I am inclined to convert this petition for anticipatory bail to one of bail also. Accordingly, the petitioner is enlarged on bail.

(i) the petitioner shall execute 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 Judicial Magistrate, Bodinayakanur.

(ii) the petitioner is directed to appear before the respondent police as and when required for the interrogation.

(iii) on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

12/10/2020

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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,
BODINAYAKANUR.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.
- 3 THE INSPECTOR OF POLICE,
BODI TOWN POLICE STATION, THENI DISTRICT.
- 4 THE OFFICER INCHARGE,
UTHAMAPALAYAM SUB JAIL, THENI.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.10945 of 2020

Date :12/10/2020

rmi

JM/PN/SAR II/12.10.2020/2P/6C

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