



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/03/2021

WEB COPY

PRESENT

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

CRL OP(MD) . No.3834 of 2021

T.Rajapandi

... Petitioner/Accused NO.2

Vs

The State rep.by,
The Sub Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District
Crime. No.205/2019..

... Respondent/Complainant

For Petitioner : M/s.Saravanakumar.P.,
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. 205 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 is figuring as accused No.2. He apprehending arrest at the hands of the respondent police for the offences punishable under section 379 of I.P.C. and Section 21(1) of Mines and Minerals Act in Crime No.205 of 2019 on the file of the respondent police, seeks anticipatory bail.

3. It is indicated on the last occasion that if the petitioner surrenders before the respondent, the petition for anticipatory bail will be converted into bail petition.



4. It is now stated that the petitioner surrendered before the respondent yesterday (15.03.2021) and he is now confined in the District Jail, Virudhunagar. Therefore, I convert this anticipatory bail petition as bail petition.

5. The case was registered way back in the year 2019. I am of the view that the petitioner's continued incarceration is not warranted. Therefore, I am inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(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 No.II, Sattur.

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

(iii) the petitioner shall not abscond.

(iv) 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/-

16/03/2021

/ TRUE COPY /

/ /2021

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,
SATTUR.

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,

Virudhunagar District at Srivilliputhur.

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



- 3 THE SUB INSPECTOR OF POLICE
SATTUR TALUK POLICE STATION,
VIRUDHUNAGAR DISTRICT
- 4 THE OFFICER INCHARGE,
DISTRICT JAIL,
VIRUDHUNAGAR.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.3834 of 2021
Date :16/03/2021

NR/PN/SAR-III(16.03.2021) 3P:6C