



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 09/11/2021
PRESENT

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

CRL OP(MD). No.16782 of 2021

Napoleon

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.
Cr.No.165/2020.

... Respondent/Complainant

For Petitioner : Mr.P.SARAVANAKUMAR,
Advocate.

For Respondent : Mr.T.SENTHIL KUMAR,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory bail in Crime.No. 165 of 2020 on the file of the Respondent Police.

ORDER : The Court made the following order :-

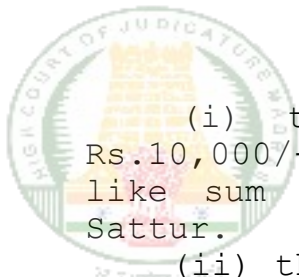
Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

2. The petitioner filed this petition seeking the relief of anticipatory bail as he apprehended arrest at the hands of the respondent in Crime No.165 of 2020 for the offences punishable under section 379 of I.P.C., and Section 21(1) of Mines and Minerals (Development and Regulation)Act, 1957.

3.During the pendency of this petition, he surrendered before the respondent police on 08.11.2021. He is presently confined in Borstal School, Melur. Of-course, the accused / petitioner cannot be confined in Borstal School. Considering the present pandemic times, such an arrangement has been made.

4. The learned Additional Public Prosecutor opposed the grant of relief by pointing out his bad antecedents.

5. I am of the view that the continued incarceration of the petitioner is not warranted. Hence, bail is granted 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 Judicial Magistrate No.II, Sattur.

(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/-

09/11/2021

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

ORDER

IN

CRL OP(MD) No.16782 of 2021
Date :09/11/2021

SA/VR/SAR.1/10.11.2021/2P/6C