



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

Friday, the Eighth day of April Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) No.4367 of 2022

IN

CRL OP(MD) No.2393 of 2006

GANAPATHY SUBRAMANIAN

... PETITIONER/PETITIONER/
ACCUSED NO.4

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH POLICE STATION,
TIRUNELVELI CITY,
TIRUNELVELI DISTRICT.
(CR.NO.21/2005)

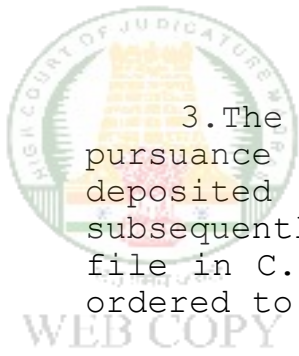
... RESPONDENT/RESPONDENT/
COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to pass an order directing the Learned Judicial Magistrate No.I Tirunelveli to refund the amount of deposit a sum of Rs.50,000/- having been made in pursuance of the order of this Honourable Court made in Crl.O.P.(MD).No.2393/2006 in connection with Crime No.21/2005 dated 23.03.2006 on the file of The Inspector of Police, City Crime Branch, Tirunelveli City, Tirunelveli District forthwith.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.PALANI VELAYUTHAM.S, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, Government Advocate (Criminal Side) on behalf of the Respondent, the court made the following order:-

The Criminal Miscellaneous Petition has been filed seeking orders to direct the learned Judicial Magistrate No.I, Tirunelveli to refund the cash surety Rs.50,000/- paid by the petitioner, in pursuance of the order dated 23.03.2006 made in Crl.OP(MD)No.2393 of 2006 in connection with Crime No.21 of 2005 on the file of the respondent Police.

2.It is not in dispute that this Court vide order dated 23.03.2006, while granting anticipatory bail in Crl.OP(MD)No.2393 of 2006, directed the petitioner to deposit a sum of Rs.50,000/- and also execute a bond for Rs.5,000/- along with two sureties for a likesum each to the satisfaction of the learned Judicial Magistrate No.I, Tirunelveli.



3.The learned counsel for the petitioner would submit that in pursuance of the directions of this Court, the petitioner has deposited the said amount before the learned Magistrate, that subsequently, charge sheet has been filed and the case was taken on file in C.C.No.279 of 2006 and that after trial, the petitioner was ordered to be acquitted, vide judgment dated 08.10.2021.

4.The learned Government Advocate (Criminal Side) appearing for the State, on instructions, would submit that the respondent has not preferred any appeal, challenging the judgment of acquittal passed in C.C.No.279 of 2006, dated 08.10.2021.

5.Considering the above facts and circumstances of the case and also the fact that the petitioner was ordered to be acquitted, he is entitled to get the amount deposited by him. Hence, this petition is allowed, directing the learned Judicial Magistrate No.I, Tirunelveli to refund the cash surety Rs.50,000/- paid by the petitioner, in pursuance of the order dated 23.03.2006 made in Crl.OP(MD)No.2393 of 2006.

sd/-
08/04/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I, TIRUNELVELI.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH POLICE STATION,
TIRUNELVELI CITY, TIRUNELVELI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.PALANIVELAYUTHAM, Advocate (SR-3285[I] dated 12/04/2022)

ORDER IN
CRL MP(MD) No.4367 of 2022
IN
CRL OP(MD) No.2393 of 2006
Date :08/04/2022

USK/VR/SAR-II/19.04.2022/2P/6C

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