



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

Friday, the Twenty Eighth day of May Two Thousand Ten

PRESENT

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

CRL OP (MD) No.6283 of 2010

1 M.ARUNACHALAPANDIAN @ CHELLADURAI,
2 C.JESURAJ

... PETITIONERS / ACCUSED NO.1&2

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT,
CR.NO.73 OF 2010.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S. A.K.AZAGARSAMI Advocate

For Respondent : MR.P.RAJENDRAN, Govt. Advocate (Crl. Side)

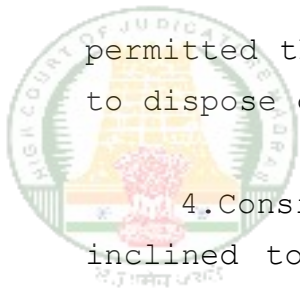
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 420 of I.P.C., in Crime No.73 of 2010 on the file of the respondent police and hence, seek anticipatory bail.

2. Heard both sides.

3. The petitioner has approached this court for the same relief in Crl.O.P(MD).No.5624 of 2010 and this court by order dated 06.05.2010, granted conditional anticipatory bail and the same is not complied with, because of the discrepancy in the name of the first petitioner, as it is wrongly mentioned as 'Chelladurai' instead of 'Arunchalapandian @ Chelladurai'. The petitioner filed M.P.(MD) No.1 of 2010 seeking amendment of the name of the first petitioner and thereafter, the petitioner has also come forward with the present petition seeking fresh order of anticipatory bail. The fact that the name of the first petitioner is wrongly mentioned is not denied on the side of the respondent police and there is no dispute with regard to the identity of the first petitioner, who is arrayed as A1. Being so, this court



permitted the petitioner to withdraw the amendment petition and proceeded to dispose of petition for anticipatory bail.

4. Considering the facts and circumstances of the case, this court is inclined to grant fresh anticipatory bail. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance before the learned Judicial Magistrate, Sivagiri and on each of them 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 petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

5. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
28/05/2010

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAGIRI
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI
 - 3 THE INSPECTOR OF POLICE
VASUDEVANALLUR POLICE STATION, TIRUNELVELI DISTRICT
 - 4 THE PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S. A.K.AZAGARSAMI Advocate SR.No.20360

ORDER
IN
CRL OP(MD) No.6283 of 2010
Date :28/05/2010

PAM 31.05.2010/6C/2P

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