



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

Tuesday, the Fourteenth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10277 of 2015

J.BABU JACKSINGH

... PETITIONER / 1st ACCUSED

Vs

state of Tamilnadu represented by
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL,
CR. NO. 43/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.JOHN JAYAKUMAR Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

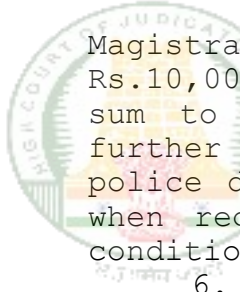
The petitioner, who is arrayed as the first accused in Crime No.43 of 2015 on the file of the respondent police apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 406, 465, 466, 467, 468 and 471 IPC and hence, seeks anticipatory bail.

2. The case of the prosecution is that the first accused had taken the first floor of the defacto complainant's property on a monthly rent of Rs.15,000/- and was running a College in the name of All India Air Hostess and Port ship Training College and in the year 2013, he became lessee of the ground floor on a monthly rent of Rs.21,000/- . While so, the second accused had instituted a suit in O.S.No.47 of 2015 on the basis of fabricated lease agreement claiming Rs.10,000/- as the rent for building.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he is not a party to the lease agreement. It is further submitted that the petitioner is a post graduate and he is working now as a Manager in Muthoot Finance near Velapuram.

4. The learned Government Advocate (Crl.Side) appearing for the State filed a status report stating that the petitioner was functioning as a Co-ordinator in All India Air Hostels and Port ship Training College and All India Academy of Fashion Technology which were run by one Ashok Kumar. After the petitioner left from the College, the said Ashok Kumar gave the Institution to the second accused, who created forged rental agreement and filed the suit.

5.Considering the submission of the learned counsel for the petitioner and the status report filed by the respondent, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial



Magistrate No.I, Nagercoil, and on 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 petitioner shall appear before the respondent police daily at 10.00 for a period of one week and thereafter, as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

6. The petitioner 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.

7. It is made clear that the second accused shall not take advantage of the order passed in this petition.

sd/-
14/07/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, KANYAKUMARI DISTRICT
- 3 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, NAGERCOIL.

Sm:SAR I:20.07.2015:2P/5C

ORDER
IN
CRL OP(MD) No.10277 of 2015
Date :14/07/2015