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

Friday, the Twelfth day of June Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10528 of 2015

N.KALIAPPAN ... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION, DINDIGUL DIST.
(CRIME NO. 237 OF 2015) ... RESPONDENT(S) / COMPLAINANT(S)

For Petitioner : M/S.F.DEEPAK 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 A-1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 363, 294(b), 395(NP), 468, 506(ii) I.P.C in Crime No. 237 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner/first accused had sold his property to one Andisamy and the defacto complainant signed as a witness and thereafter, on 31.05.2015, the accused had kidnapped him and taken away his ½ sovereign gold ring and also obtained signatures in blank papers and left him in his native place on 01.06.2015.

3.The learned counsel for the petitioner submitted that the defacto complainant and one Andisamy are known to the petitioner for the past 20 years. The petitioner through the recommendation of the defacto complainant had obtained a hand loan from the said Andisamy for a sum of Rs.15,00,000/- and the said Andisamy insisted mortgage of the property of the petitioner as a security for the loan and they have obtained the petitioner's signature in a sale deed and got registered in their favour and therefore, on 30.05.2015, the petitioner had made a complaint to the Superintendent of Police, alleging cheating committed by the said Andisamy and as a counter blast, this complaint has been given. He further submitted that the petitioner is innocent and he has been falsely implicated in this case.

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4.The learned Government Advocate(Crl.side) submitted that the accused 2 and 3 were secured and they were remanded to judicial custody and the accused have kidnapped and committed robbery of the property of the defacto complainant and also obtained signatures in blank papers. He further submitted that the petitioner has no bad antecedents.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. 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.III, Dindigul, Dindigul District, on his executing a separate 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 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. 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.

sd/-
12/06/2015

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

TO
1.THE JUDICIAL MAGISTRATE NO.III,DINDIGUL.
2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL.
3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4.THE INSPECTOR OF POLICE
SANARPATTI POLICE STATION, DINDIGUL DIST.

+1. CC to M/S.F.DEEPAK Advocate SR.No.30725

ORDER
IN
CRL OP(MD) No.10528 of 2015
Date :12/06/2015

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