



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

Monday, the Twelfth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.11011 of 2014

M.P.JESURAJ

... PETITIONER / 1st ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
THATTARMADAM POLICE STATION,
THATTARMADAM,
THOOTHUKUDI DISTRICT.
CRIME NO.199/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.S.R.ANBARASU Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl.Side)

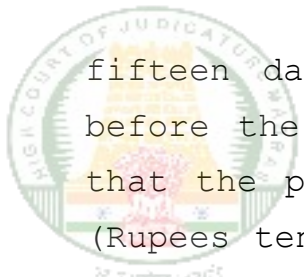
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 506(ii) and 420 IPC in Crime No.199 of 2014, seeks anticipatory bail.

2. The defacto complainant in this case is one Chermadurai. The land in question admittedly belongs to the petitioner. It is the case of the defacto complainant that he had entered into a sale agreement with this petitioner for purchasing the petitioner's land and thereafter, it is alleged that the petitioner has sold his land to another person by name Jesuraj.

3. Incidentally, there are two Jesuraj in this case. This case has been registered on the Court direction. On reading of the complaint, it is seen that the dispute is essentially civil in nature. Therefore, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of



fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Santhankulam, on condition that 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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/-
12/01/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, SATHANKULAM, TUTICORIN DISTRICT.
 - 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN.
 - 3 THE INSPECTOR OF POLICE, THATTARMADAM POLICE STATION,
THATTARMADAM, THOOTHUKUDI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.S.R.ANBARASU, Advocate SR.No.1651.

ORDER IN
CRL OP(MD) No.11011 of 2014
Date :12/01/2015