



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

Thursday, the Twenty Second day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.12931 of 2014

SIVAKUMAR

... PETITIONER / SOLE ACCUSED

Vs

THE STATE REP. BY THE INSPECTOR OF POLICE
KOMBAI POLICE STATION, THENI DT,
CRIME NO.88/2014

... RESPONDENT / COMPLAINANT

M.JEYAPRAKASH

...INTERVENOR

For Petitioner : M/S.D.SARAVANAN Advocate

For Respondent : Mr.P.Kannithevan Government Advocate (Crl.Side)

For Intervenor : M/S.K.Guhan Advocate

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

ORDER : The Court Made the following order :-

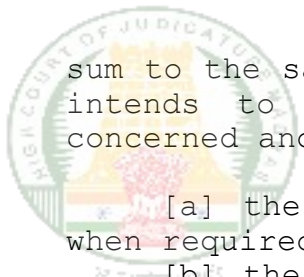
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 420 IPC in Crime No.88 of 2014 on the file of the respondent police, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner, learned counsel for the intervenor and the learned Government Advocate (Crl. Side) appearing for the State.

3.Today it is represented by the learned counsel for the petitioner that he has arrived at a settlement with the de facto complainant and towards that a sum of Rs.1,30,000/- has been paid.

4.The learned counsel for the intervenor submits that the petitioner has paid a sum of Rs.1,15,000/- and he is yet to pay a sum of Rs.78,000/-.

5.Since the dispute appears to be civil in nature, 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, Bodi, 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 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/-
22/01/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE, BODI.

2 -Do- Through THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE ADDL.PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4 THE INSPECTOR OF POLICE
KOMBALAI POLICE STATION, THENI DISTRICT.

+1. CC to M/S.D.SARAVANAN Advocate SR.No.3076.

TS/28.01.2015/2P-6C

ORDER
IN
CRL OP(MD) No.12931 of 2014
Date :22/01/2015