



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

Thursday, the Sixth day of August Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CRL OP(MD) No.15088 of 2015

R.ESAKKI

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REB BY INSPECTOR OF
SERNTAMARAM POLICE STATION,
TIRUNELVELI DISTRICT.
IN CRIME NO.246 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.SASIKUAMR Advocate

For Respondent : M/S.S.PRABHA Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

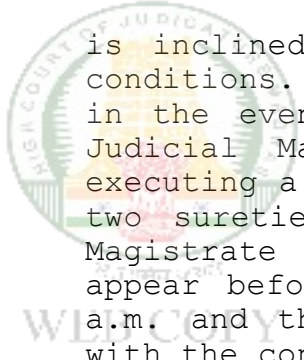
The petitioner, who is arrayed as accused No.2, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 467, 468, 471 and 420 of I.P.C., in Crime No.246 of 2015 on the file of the respondent police and hence, seeks anticipatory bail.

2. According to the de-facto complainant, when the petitioner was working as physical education teacher in Government Aided School, he had gone for higher studies to Coimbatore and by producing bogus document, obtained salary.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and the complaint is filed after 25 years with an ulterior motive. It is further submitted that the District Education Officer conducted an enquiry and held that the petitioner has availed three months unearned leave and he was on loss of salary for 7 months and closed the departmental proceedings. The learned counsel for the petitioner further submitted that there are dispute between the petitioner and the management and at the instigation of the management, earlier complaint was given against the petitioner and also they filed Crl.O.P.(MD).No.4574 of 2012 to register a case which was dismissed by this Court on 23.04.2012 and a writ petition filed by one Saravanan in W.P.No.8745 of 2014 and another one Muthaiya / de-facto complainant lodged a complaint and after losing of the previous cases, the present complaint is filed.

<https://hcservices.courts.gov.in/hcservices/> learned Government Advocate (Crl.side).

5. Considering the facts and circumstances of the case, 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 his arrest or on their appearance before the learned Judicial Magistrate, Sankarankovil, Tirunelveli District and on his 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 two Saturdays and Sundays at 10.00 a.m. and thereafter as and when required. 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.

Sd/-
06.08.2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE, SANKARANKOVIL, TIRUNELVELI DISTRICT.

2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
SANKARANKOVIL AT TIRUNELVELI DISTRICT

3. THE INSPECTOR OF SERNTHAMARAM POLICE STATION,
TIRUNELVELI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.SASIKUAMR Advocate SR.No.44856

ORDER
IN
CRL OP(MD) No.15088 of 2015
Date :06/08/2015

GJM//KBM/SAR-I 12.8.2105
2P/6C