



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

Wednesday, the Fifth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15167 of 2015

ABDUL MALLIK

... PETITIONER / ACCUSED No. 1

Vs

THE INSPECTOR OF POLICE

SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI.

CRIME NO.1311/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.J.LAWRANCE Advocate

For Respondent : Mrs.S.Prabha, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

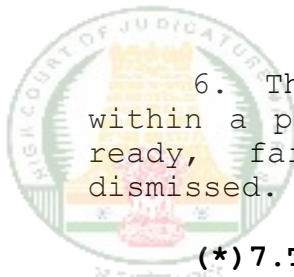
The petitioner, who is arrayed as Accused No.1, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 12 of Passport Act, 1967 read with Section 420 in Crime No.1311 of 2005 on the file of the respondent apprehends in pursuant to the Non-Bailable Warrant issued by the learned Judicial Magistrate No.I, Sivagangai in(*) **C.C.No.1 of 2006** and hence, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that the dispute between the accused and the defacto complainant has been settled and the second accused have been discharged from this case. He has further submitted that the petitioner has gone to abroad for his livelihood and now he is ready to appear before the trial Court.

3. The learned Government Advocate (Criminal Side) submitted that Non-Bailable Warrant issued against the petitioner could not be executed for a long time and opposes the anticipatory bail application.

4. However, considering the submission made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

5. 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, Sivagangai 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 trial Court for all hearing dates without fail, except on those days by filing a petition under Section 317 of Cr.P.C, by assigning valid reasons. The petitioner shall comply with the conditions stipulated under Section 438



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. Time for executing the sureties is extended by two weeks, from the date on which the order copy is made ready.

WEB COPY

sd/-
05/08/2015

**(*) amended as per order of this Court
order dated 10/08/2015 made
in CRL.O.P.No.15167/2015.**

Sd/-
10/08/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, SIVAGANGAI
- 2 -do-thro THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI
- 3 THE INSPECTOR OF POLICE
SIVAGANGAI TOWN POLICE STATION, SIVAGANGAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.J.LAWRANCE Advocate SR.No.44383

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ORDER
IN
CRL OP(MD) No.15167 of 2015
Date :05/08/2015