



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

Friday, the Eleventh day of September Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.17689 of 2015

DHANAPANDI

... PETITIONER/ACCUSED NO.1

Vs

STATE REPRESENTED BY

THE INSPECTOR OF POLICE,

VILLUR POLICE STATION, MADURAI DISTRICT.

(CR. NO. 75 OF 2013.)

... RESPONDENT/COMPLAINANT

FOR PETITIONER : M/S T.VADIVELAN ADVOCATE

FOR RESPONDENT : MRS.S.PRABHA, GOVERNMENT 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 offence punishable under Sections 147, 420, 468, 471 and 506(ii) of I.P.C., in Crime No.75 of 2013 on the file of the respondent police and hence, seeks anticipatory bail.

2. The prosecution case is that the petitioner is working in Indian Army and he received Rs.6 lakhs totally on two occasions from the de-facto complainant assuring employment in railways.

3. The learned counsel for the petitioner submitted that the petitioner's sister's son gave Rs.6 lakhs to one Mayakrishnan, who is the uncle of the de-facto complainant to get employment in a Government Department and for non-fulfilment of the obligation, a case was registered against the Mayakrishnan and the de-facto complainant in Crime No.248 of 2013 on 05.09.2013. It is further submitted that against the de-facto complainant, the respondent police has registered 5 cases for the similar allegations and after a week, the present complainant was given on 17.09.2013 stating that the petitioner has received Rs.6 lakhs from the de-facto complainant.

4. The learned counsel for the petitioner further submitted that the accused 2 to 5 were already granted anticipatory bail by the Sessions Court, Madurai in Cr.M.P.No.7793 of 2013 dated 25.09.2013.



5. The learned Government Advocate (Crl.side) submitted that the respondent police has registered a case in the year 2013 against 5 accused and after completing investigation, laid charge sheet against two accused in the year 2013 which is not taken on file so far.

6. Considering the facts and the stage 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 his appearance before the learned Judicial Magistrate, Thirumangalam 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 as and when required. 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/-
11/09/2015

/ TRUE COPY /

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

TO

1. THE JUDICIAL MAGISTRATE,
THIRUMANGALAM.
2. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
3. THE INSPECTOR OF POLICE
VILLUR POLICE STATION, MADURAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S T.VADIVELAN Advocate SR.No. 53693

ORDER
IN
CRL OP(MD) No.17689 of 2015
Date :11/09/2015