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

Monday, the Thirtieth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr.Justice P.N.PRAKASH

CRL OP(MD) No.18046 of 2014

A.NAGARAJAN

... PETITIONER/ACCUSED (RANK NOT KNOWN)

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SIVAKASI EAST POLICE STATION,

SIVAKASI, VIRUDHUNAGAR DISTRICT.

CR. NO. 530 OF 2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.A.THIRUVADIKUMAR Advocate

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.530 of 2014, on the file of the respondent police for the offence under Sections 420 & 451 IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (crl. Side).

3. This matter was referred to the Mediation Centre and the failure report dated 06.02.2015 has been received.

4. On the directions of this Court in Crl.O.P.(MD)No.14498 of 2014, the case has been registered by the respondent police in Crime No.530 of 2014 for the aforesaid offence on 07.09.2014. The defacto complainant in this case is the father of the petitioner and the allegations is that the defacto complainant had invested a sum of Rs.1,50,000/- for the petitioner in establishing a printing press and that the petitioner is now trying to dispose of the printing press without repaying the money to his father.



5. The dispute essentially appears to be civil in nature and therefore, this Court is inclined to grant anticipatory bail to the petitioner, but with conditions.

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6. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate, Sivakasi on executing a separate 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/-
30/03/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, SIVAKASI.
- 2 DO-THRO' THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
SIVAKASI EAST POLICE STATION, SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADIKUMAR Advocate SR.No.15873

ORDER IN
CRL OP(MD) No.18046 of 2014
Date :30/03/2015