



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

Tuesday, the Sixth day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

WEB COPY

CRL OP(MD) Nos.18307,18315 and 18353 of 2014

S.JUSTIN BABU ... PETITIONER/ ACCUSED NO.1 IN ALL THE CASES
Vs

1.THE STATE REP.BY
THE INSPECTOR OF POLICE
PANAKUDI POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 319 OF 2014 ...RESPONDENT IN CRL OP(MD)NO.18307/2014

2.THE INSPECTOR OF POLICE
PALAVOOR POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 247 OF 2014 ...RESPONDENT IN CRL OP(MD)NO.18315/2014

3.THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 268 OF 2014...RESPONDENT IN CRL OP(MD)NO.18353/2014

For Petitioner : M/S.S.C.HEROLD SINGH Advocate, IN ALL THE CASES.

For Respondent : MR.A.P.BALASUBRAMANIAN, Govt. Advocate (Crl. Side)
IN ALL THE CASES.

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

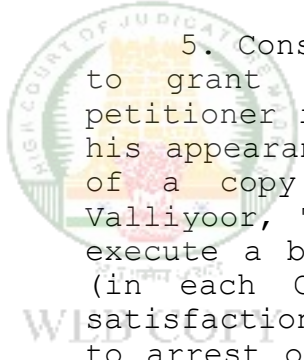
ORDER : The Court Made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 380 of IPC in Crime No.319 of 2014; Sections 147,148,452,294(b), 435 and 506(ii) of IPC r/w. Section 3 of TNPPDL ACT r/w. Section 4 of Women Harassment Act in Crime No.247 of 2014; Sections 147, 148, 447, 448, 429(b), 435, 506(ii) of IPC and Section 3 of TNPPDL Act in Crime No.268 of 2014 respectively, seek anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondents. The investigating Officer is also present.

3. The case of the defacto complainant is that he had paid money to this petitioner towards sale consideration and that the petitioner, after receiving money, had cheated him.

4. On the contrary, the case of the petitioner is that the defacto complainant did not pay the full sale consideration and therefore, the case should go through. On a reading of the complaint, it appears essentially to be a civil transaction.



5. Considering the facts and circumstances of the case, 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, Valliyoor, Thirunelveli District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each (in each Crl.O.Ps) 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 appear 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
06/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE,
VALLIYOOR, THIRUNELVELI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4.THE INSPECTOR OF POLICE
PANAKUDI POLICE STATION, TIRUNELVELI DISTRICT.

5.THE INSPECTOR OF POLICE
PALAVOOR POLICE STATION,TIRUNELVELI DISTRICT.

6.THE INSPECTOR OF POLICE
KODANKULAM POLICE STATION,TIRUNELVELI DISTRICT.

+3. CC to M/S.S.C.HEROLD SINGH Advocate SR.Nos.330,331 and 326

ORDER
IN

CRL OP(MD) Nos.18307,18315 and 18353 of 2014
Date :06/01/2015