



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

Wednesday, the Fourth day of February Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1865 of 2015

MOKKAIYAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP BY

THE INSPECTOR OF POLICE

A.MUKKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.

CRIME NO.72/2013

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.B.SENTHIL KUMAR Advocate

For Respondent : M/S.A.P.BALASUBRAMANIAN

Govt. Advocate (Crl. Side)

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

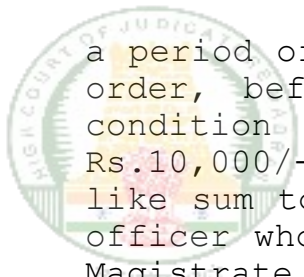
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 420, 468, 471, 294(b) and 506(ii) IPC in Crime No.72 of 2013 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. This case has been registered pursuant to the orders passed by this Court in Crl.O.P.(MD) No.1193 of 2013 on 26.07.2013. The petitioner is the father of the defacto complainant. According to the defacto complainant, she is born to the petitioner's second wife and this petitioner obtained a release deed from her by playing deception on her. The said document was registered in the year 2009, when the defacto complainant was 21 years old and her mother Mrs.Arumugam was also with her.

4. There appears to be some dispute between the father and the daughter and therefore, the present case has been lodged by the defacto complainant. Taking into consideration the facts and circumstances of the case, this is a fit case 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, Aruppukkottai, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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[a] the petitioner shall report before the respondent police daily at 10:30 a.m. for a period of two weeks and thereafter 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/-

04/02/2015

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

TO

1.THE JUDICIAL MAGISTRATE, ARUPPUKKOTTAI
2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR
3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
4.THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.
+1. CC to M/S.B.SENTHIL KUMAR Advocate SR.No.5154
RL/6 C- 6/2/2015

ORDER

IN

CRL OP(MD) No.1865 of 2015

Date :04/02/2015