



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

Thursday, the Fifth day of February Two Thousand Fifteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.1931 of 2015

C. RAJENDRAN

... PETITIONER/ACCUSED-3

Vs

THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI DISTRICT.
CRIME NO.971/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SESUBALAN RAJA 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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420, 427 and 506(i) IPC in Crime No.971 of 2014 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 directions issued by this Court in Crl.O.P.(MD) No.23308 of 2014. On reading of the complaint, it is stated that on 28.01.2014, when the defacto complainant was trying to put fence in his property, this petitioner along with A1 and A2 came there and objected to and also threatened the defacto complainant.

4. In this regard, the complaint has been given very late. Based on the Court direction, this case has been registered on 23.12.2014 and there are no previous antecedents against this petitioner. Under such circumstances, 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, Melur, Madurai, 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:

[a] the petitioner shall report before the respondent police as and when required for interrogation.

<https://hcservices.ecourts.gov.in/hcservices/>

[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/-
05/02/2015

/ TRUE COPY /

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

TO

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

+1. CC to M/S.P.SESUBALAN RAJA Advocate SR.No. 5428

SR : 09.02.2015 : 2P/6C

ORDER
IN
CRL OP(MD) No.1931 of 2015
Date :05/02/2015