



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.20973 of 2014

M.MANOJKUMAR

..PETITIONER/SOLE ACCUSED

Vs.

STATE REP.BY THE INSPECTOR OF POLICE

C-4, OTHAKKADAI POLICE STATION,

MADURAI.

CRIME NO.537 OF 2014

..RESPONDENT/COMPLAINANT

For Petitioner : M/S.ANTONY S.PRABAHAR Advocate

For Respondent : Mr.A.P.BALASUBRAMANI, Government 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 offence punishable under Sections 294(b) and 506 (i) **(*) 420** I.P.C in Crime No.537 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) for the State.

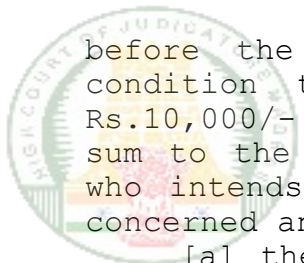
3. Initially the matter was referred to the Mediation Centre and failure report, dated 28.01.2015, has been received from the Mediation Centre.

4. It is the case of the defacto complainant that the petitioner is working as Branch Manager in Central Bank of India, Ellis Nagar Branch, where the defacto complainant was having his account. According to the defacto complainant, the petitioner requested the defacto complainant to help another person by name Manoj Kumar by giving some money to him. On the recommendation of this petitioner, the defacto complainant appears to have given some money to the said Manoj Kumar, but the money was not returned.

5. Perusal of the complaint would disclose that even in the complaint, the defacto complainant has stated that the money was paid about four years back and he has been behind the petitioner since then and he also admits that a pro-note has been given in favour of the defacto complainant.

6. Under such circumstances, anticipatory bail is granted to the petitioner with certain conditions.

7. Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is directed 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 District, 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.

[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/-

18/03/2015

**(*) AMENDED AS PER THE ORDER OF THIS
HON'BLE COURT DT.01.04.2015 AND
MADE IN MP(MD).1/2015 IN
CRL OP(MD)NO.20973/2014**

**(*)Two weeks time is granted for submitting
sureties from the date of receipt of
amended copy at the order and the
rest of the condition shall remain same.**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

TO BE SUBSTITUTED TO THE ORDER ALREADY DESPATCHED

1 THE JUDICIAL MAGISTRATE, MELUR, MADURAI DISTRICT.

2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

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

4 THE INSPECTOR OF POLICE, C-4, OTHAKKADAI POLICE STATION, MADURAI.

+1. CC to M/S.ANTONY S.PRABAHAR Advocate SR.No.16587

ORDER IN

CRL OP(MD) No.20973 of 2014

Date :18/03/2015

PBK 20/03/2015 ::1P-6C:

NA/07/04/2015/P2/6C