



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

Monday, the Fifth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23542 of 2014

WEB COPY

P.AYYANAR

... PETITIONER/SOLE ACCUSED

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
CHOLAVANTHAN POLICE STATION,
MADURAI DISTRICT.
CR. NO.405/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.L.SHAJI CHELLAN Advocate

For Respondent : Mr.A.P.BALASUBRAMANI,
Govt. Advocate (Crl. Side)

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

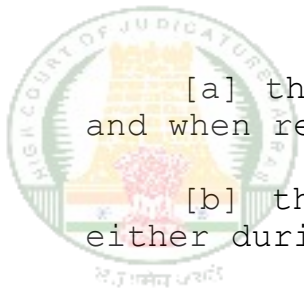
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 379 (NP) and 468 IPC in Crime No.405 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. The Investigating Officer is also present in this Court.

3. The case of the prosecution is that the defacto complainant had purchased a Tractor and had sold it to the accused, retaining the papers with him. When the accused was demanding papers, the defacto complainant has lodged this complaint. On another complaint lodged by the accused, a case in Crime No.406 of 2014 has been registered against the defacto complainant by the respondent Police.

4. Since the allegation appears to be civil in nature, 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, Vadipatti, 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/-

05/01/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, VADIPATTI

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE MADURAI DISTRICT

3 THE INSPECTOR OF POLICE CHOLAVANTHAN POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.L.SHAJI CHELLAN Advocate SR.No.60

ORDER

IN

CRL OP(MD) No.23542 of 2014

Date :05/01/2015

NA/07/01/2015/P2/6C