



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

Friday, the Ninth day of January Two Thousand Fifteen

PRESENT

WEB COPY

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23548 of 2014

1 MANIKANDAN
2 BALAMURUGAN

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP BY THE INSPECTOR OF POLICE
SOUTH GATE POLICE STATION, MADURAI.
CR. NO.633/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SENDHILKUMAR Advocate

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

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

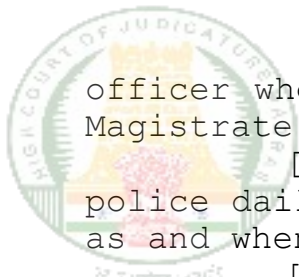
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 120(b), 406, 420 and 506(ii) IPC in Crime No.633 of 2014 on the file of the respondent police, seek anticipatory bail.

2. It is represented by the learned Government Advocate (Crl.Side) that this case has been registered pursuant to the direction issued by the learned Judicial Magistrate No.IV, Madurai under Section 156(3) Cr.P.C.

3. On reading of the complaint it appears that the petitioner had borrowed money from the defacto complainant and had given cheque, which had dishonoured. The defacto complainant and the petitioner are into jewellery business. The allegations are essentially civil in nature.

4. Considering the above facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.IV, Madurai, on condition that the petitioners shall execute a separate 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 petitioners shall report before the respondent police daily at 6.30 p.m., for a period of two weeks and thereafter, as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 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/-

09/01/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO. IV, MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE, SOUTH GATE POLICE STATION, MADURAI.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1cc to Mr.M.Sendhil kumar ,Advocate Sr.No. 1204

ORDER

IN

CRL OP(MD) No.23548 of 2014

Date :09/01/2015

AA/19.01.2015/2p- 6c/