



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

Monday, the Fifth day of January Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.23616 of 2014

DHINAKARAN

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
PARAMAKUDI TOWN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.234/2013

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.ANAND Advocate

For Respondent : M/S.A.P.BALASUBRAMANI, Govt. Advocate (Crl.Side)

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

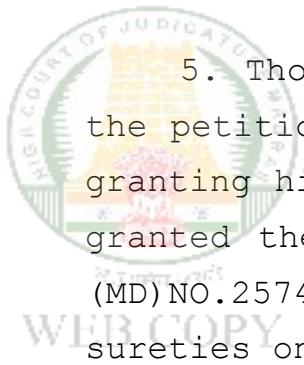
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 188, 196, 197, 419, 420, 465, 467 and 471 IPC in Crime No.234 of 2013 on the file of the respondent police, seeks anticipatory bail.

2. This is the fifth anticipatory bail application moved on behalf of the petitioner before this Court. The fourth anticipatory bail application in Crl.O.P.(MD)No.2574 of 2014 was allowed by this Court on 19.08.2014 on condition that "the petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready failing which the petition for anticipatory bail stands dismissed".

3. The learned Counsel for the petitioner submitted that the petitioner was down with jaundice and therefore, he was not able to furnish sureties within a period of 15days as stipulated by this Court in the earlier order. Since it is stated in the order that the anticipatory bail petition shall stand automatically dismissed, the petitioner is not even able to file an extension application.

4. Heard the learned Government Advocate (Crl.Side).



5. Though this is not a fit case to grant anticipatory bail to the petitioner, since he had played a fraud on the Magistrate, I am granting him the relief on the sole ground that he has been earlier granted the relief by the learned Judge of this Court in Crl.O.P. (MD)NO.2574 of 2014 on 19.08.2014 and that he had failed to furnish sureties on account of his illness.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of **one week** from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Paramakudi, Ramanathapuram 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 daily at 10.30a.m for a period of one week 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 Judicial 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 Judicial 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]**.

(e) The petitioner should comply with the condition within a period of one week from the date of receipt of a copy of this order, if not done, this petition shall stand automatically dismissed.

sd/-
05/01/2015

/ TRUE COPY /



TO

1 THE JUDICIAL MAGISTRATE, PARAMAKUDI, RAMANATHAPURAM DISTRICT.

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

3 THE INSPECTOR OF POLICE, PARAMAKUDI TOWN POLICE STATION,
WEB RAMANATHAPURAM DISTRICT.

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

+1. CC to M/S.R.ANAND, Advocate, SR.No.129/6.1.15.

ORDER IN
CRL OP(MD) No.23616 of 2014
Date :05/01/2015

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