



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

Wednesday, the Seventh day of January Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.23770 of 2014

M.VELLATHURAI

... PETITIONER /SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
CR. NO. 264/2014.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S. A.R. KANNAPPAN 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 :-

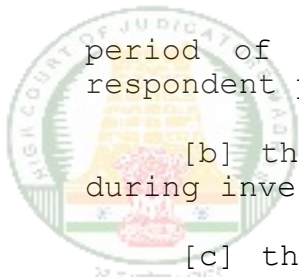
The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 417 and 420 IPC in Crime No.264 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. This is second anticipatory bail petition and the first anticipatory bail petition in Crl.O.P.(MD) No.21439 of 2014 was dismissed on 15.12.2014 on the ground that investigation was pending at that time. It is seen from the complaint filed by the defacto complainant that the petitioner was a land broker and helped the defacto complainant in selling certain lands and received a commission of Rs.30,000/- It is alleged by the defacto complainant that on 18.11.2014, the petitioner has snatched away Rs.3,00,000/- from the bag of the defacto complainant. This appears little strange. There is also a civil case in O.S.No.307 of 2014 filed by the petitioner against the defacto complainant. 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, Valliyur, Tirunelveli 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:

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

[a] the petitioner shall report before the learned Judicial Magistrate, Valliyur, Tirunelveli District daily at 10.30 a.m. for a



period of two weeks and thereafter as and when required before the respondent police 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/-
07/01/2015

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE
VALLIYUR, TIRUNELVELI DISTRICT.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

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

4.THE INSPECTOR OF POLICE
RADHAPURAM POLICE STATION, TIRUNELVELI DISTRICT.

+1. CC to M/S. A.R. KANNAPPAN Advocate SR.No.824

ORDER
IN
CRL OP(MD) No.23770 of 2014
Date :07/01/2015

RG.19.01.2015 2P.6C.