



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

Thursday, the Fifth day of March Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.3625 of 2015

W.P.S. REGI

... PETITIONER / 3rd ACCUSED

Vs

THE STATE REP.BY
THE SUB-INSPECTOR OF POLICE,
CCB POLICE STATION, MADURAI.
CRIME NO.28/15.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.HAJA MOHIDEEN, Advocate

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

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

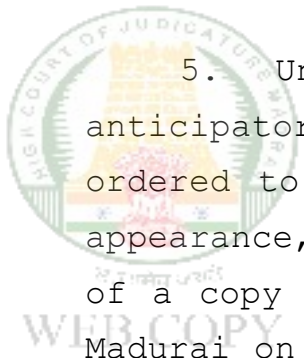
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 120(b), 420 and 506(i) of IPC in Crime No.28 of 2015, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent. The Investigating Officer is present and the status report is also filed.

3. Pursuant to the directions issued by the learned Judicial Magistrate-I, Madurai under Section 156(3) of Cr.P.C, the case has been registered in Crime No.28 of 2015.

4. On a reading of the complaint, it is seen that the de facto complainant had taken a chit in Gokulam Chit and Finance Company where the A1 is working as Manger. The de facto complainant has also deposited some documents for the loan taken by her. The de facto complainant has defaulted in repaying the amount. Therefore, the Chit Company refused to hand over the documents to her. Suppressing these facts, the de facto complainant has set up a case against accused 1 and 2 as if they had surreptitiously handed over her documents to the Chit Company. It is stated that the co-accused in this case has been granted anticipatory bail in Crl.M.P.No.1836 of 2015 on 04.03.2015.



5. 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-I, Madurai 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
05/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, MADURAI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE SUB-INSPECTOR OF POLICE, CCB POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.HAJA MOHIDEEN, Advocate SR.No.10747.