



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

Thursday, the Twelfth day of March Two Thousand Fifteen

PRESENT

WEB COPY

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.4146 of 2015

S.SYED RIYAZ

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
E-3 ANNA NAGAR POLICE STATION,
MADURAI-20. MADURAI DISTRICT.
CRIME NO.226/2015

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.GEORGE PAUL ANTO Advocate

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

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

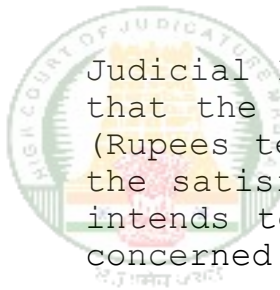
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 IPC in Crime No.226 of 2015 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 case has been registered pursuant to the direction issued by this Court in Crl.O.P.(MD) No.22544 of 2014 dated 16.12.2014. Sai Priyadarshni (A1) is the wife of the defacto complainant. It is alleged by the defacto complainant that A1 is having affair with one Seyad Ali Kamaludeen (A2). It is also alleged by the defacto complainant that his wife, in collusion with A2 had taken away money from the joint account that was in the name of the defacto complainant and A1. The allegation against this petitioner is that he is a friend of A2 and he had threatened the defacto complainant.

4. It is stated that matrimonial proceedings are pending between A1 and the defacto complainant in HMOP No.866 of 2014 before the Family Court, Madurai. Under such circumstances, this Court is 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 No.VI, Madurai, Madurai 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:

WEB COPY [a] the petitioner shall report before the respondent police daily at 05:30p.m. for a period of four weeks 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 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/-

12/03/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI, MADURAI.
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE, E-3 ANNA NAGAR POLICE STATION, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.L.GEORGE PAUL ANTO, Advocate SR.No.12096.

ORDER IN

CRL OP(MD) No.4146 of 2015

Date :12/03/2015

msm 13.03.2015 p2/6c