



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

Monday, the Thirtieth day of March Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.5282 of 2015

S.KUMARAVEL ... PETITIONER/ SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, K.K.NAGAR,
MADURAI. CR. NO. NOT KNOWN OF 2015. ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.M.SENDHILKUMAR 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 :-

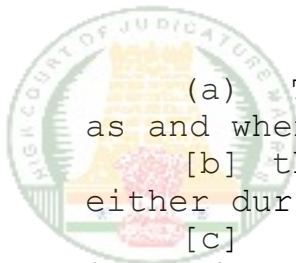
Heard the learned counsel for the petitioner and the learned Government Advocate (crl. Side).

2. It is represented that a regular case in Crime No.444 of 2015 for the offences under Sections 120(b), 294(b), 406, 420 and 506(ii) IPC registered pursuant to directions issued by the learned Judicial Magistrate No.VI, Madurai in Crl.M.P.No.6277 of 2014 on 15.12.2014 under Section 156(3) Cr.P.C.

3. On a reading of the complaint, it appears that the defacto complainant had lent a sum of Rs.1,00,000/- to the accused and that the accused are refusing to return the amount. Even according to the learned counsel for the defacto complainant, the amount was paid to the accused by way of cheque.

4. If that is so, then this Court is of the view that the transaction appears to be civil in nature and hence, anticipatory bail is granted to the petitioner, but with conditions.

5. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance before the learned Judicial Magistrate No.VI, Madurai on executing 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 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 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/-

30/03/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.VI,MADURAI
- 2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI
- 3 THE INSPECTOR OF POLICE
ANNA NAGAR POLICE STATION, K.K.NAGAR, MADURAI.
- 4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5282 of 2015

Date :30/03/2015

AA/06.04.2015/2p- 5c/