



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

Friday, the Twenty Fourth day of April Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP (MD) No.6478 of 2015

WEB COPY

UMAR FAROOK

... PETITIONER/ACCUSED NO.3

Vs

STATE REP. BY
THE INSPECTOR OF POLICE
KADAYANALLUR POLICE STATION,
TIRUNELVELI,
(IN CRIME NO. 148/2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.M.A.JINNAH Advocate

For Respondent : Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

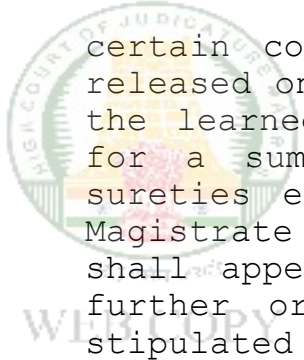
The petitioner, who is arrayed as A3, apprehends arrest at the hands of the respondent Police for the alleged offences punishable under Sections 420, 452, 506(i) IPC in Crime No.148 of 2015 on the file of the respondent Police and hence, seeks anticipatory bail.

2.One Fathima Beevi lodged a complaint alleging that the first accused purchased her property for a sum of Rs.11 lakhs on 07.09.2012 and paid Rs.1 lakh towards advance and assured to pay balance amount. But the cheque given by the first accused for Rs.2.5 lakhs dated 09.03.2013 was dishonoured. When the de facto complainant was not in her house, the third accused had broke open the lock and caused damage of Rs.20,000/-. The second accused had given assurance that he will make arrangement to pay the balance consideration.

3.The learned counsel for the petitioner submitted that the petitioner is nothing to do with the transaction between the de facto complainant and the first accused and he was implicated on the allegation that he caused damage to the door of the de facto complainant to the value of Rs.20,000/-. The learned counsel for the petitioner submitted that since he is the brother of A1 he has been falsely implicated in this case.

4.Heard the learned Government Advocate (Crl.side) for the respondent Police.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with



certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Tenkasi, and on executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10 a.m until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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.

sd/-
24/04/2015

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI
- 2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE KADAYANALLUR POLICE STATION,
TIRUNELVELI,
- 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.M.A.JINNAH Advocate SR.No.22674
ORDER
IN
CRL OP(MD) No.6478 of 2015
Date :24/04/2015

NA/29/04/2015/P2/6C