



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

Thursday, the Twenty First day of May Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice V.S.RAVI

CRL OP(MD) No.6797 of 2015

WEB COPY

JAGUBAR SADIQ

... PETITIONER/ACCUSED NO. 2
Vs

STATE REP BY THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, THANJAVUR,
CRIME NO.11/2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S. S. PRIYA Advocate

For Respondent : MR.A.P.BALASUBRAMANI Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

This is an application filed by the petitioner/accused No.2 to grant anticipatory bail in Crime No.11 of 2014 on the file of the respondent Police for the alleged offences under Sections 406, 420 and 506(ii) of the Indian Penal Code.

2. It is stated in the petition that the petitioner is apprehending arrest at the hands of the respondent Police in Crime No.11 of 2014 for the offences punishable under Sections 406, 420 and 506(ii) of the Indian Penal Code. Further, it is stated in the petition that the defacto complainant entered into a lease agreement, dated 22.07.2013 and the petitioner has done prawn hatchery in a peaceful manner. Subsequently, the defacto complainant threatened the petitioner to hand over the lease to him by stating that the land value has increased. Further, the petitioner herein has also filed a suit in Original Suit No.73 of 2014 before the Court of District Munsif, Pattukottai and in order to prove the said submissions, the learned counsel appearing for the petitioner has also filed the typed set of papers viz., the lease deed, dated 22.07.2013, plaint in Original Suit No.73 of 2014, dated 03.03.2014 and compromise deed, dated 14.11.2014. Further, it is stated in the petition that accused Nos.3 and 4 have already been enlarged on bail on 14.02.2015 by the District and Sessions Court, Thanjavur and this Court also granted anticipatory bail to accused No.5 in Crl.O.P(MD) No.2844 of 2015. Further, it is stated in the petition that the petitioner has been falsely implicated by the Police and the defacto complainant with ulterior motive and the petitioner is prepared to furnish sufficient sureties and willing to abide by the conditions that may be imposed by this Court.



Information Report has been filed in this matter on 06.06.2014 and also produced the First Information Report.

4. On Perusal of the First Information Report, it is seen that the First Information Report has been filed on 06.06.2014, hence, by this time, substantial part of the investigation has to be completed by the respondent Police. Further, by granting anticipatory bail to the petitioner with stringent conditions, will only help the Court to dispose of the matter at the earliest point of time.

5. Considering the above mentioned facts and circumstances, it is found that there is a *prima facie* case to grant anticipatory bail to the petitioner with conditions and accordingly;

(a) In the event of arrest or on appearance before the respondent police; or

(b) In the event of appearance before the learned Judicial Magistrate, Pattukottai within fifteen days from the date of receipt of a copy of this order;

(i) The petitioner shall be enlarged on bail on his executing a bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for the like sum to the satisfaction of the learned Judicial Magistrate, Pattukottai.

(ii) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) The petitioner shall be available for interrogation by the respondent police daily at 5.30 p.m. Until further orders.

6. The petitioner shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

21/05/2015

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE, PATTUKKOTTAI
1 THE CHIEF JUDICIAL MAGISTRATE, THANJAVUR AT KUMBAKONAM
3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THANJAVUR
4 THE ADDL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. S. PRIYA Advocate SR.No.26004

ORDER

IN

CRL OP(MD) No.6797 of 2015

Date : 21/05/2015