

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

Tuesday, the Twentieth day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.790 of 2015

WEB COPY

1 A.AJMEER

2 A.JAHIR HUSSAIN

... PETITIONERS/ACCUSED NO.1 & 2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.
CR. NO.644/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.PANDIAN Advocate

For Respondent : MR.C.RAMESH, Govt. Advocate (Crl. Side)

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

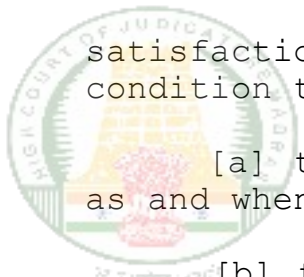
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 406, 420 and 506(ii) IPC in Crime No.644 of 2014 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

3. This case has been registered pursuant to Court direction. It is seen that the petitioners have lent money to the defacto complainant and they have filed a suit in O.S.No.131 of 2014 for recovery of money. While so, it is alleged by the defacto complainant that he had already paid Rs.43,000/- for the loan of Rs.25,000/-, inspite of which, the petitioners are using the documents in their possession for filing the present suit.

4. Now, the matter is pending before the Civil Court, which has to determine the civil liability between the petitioners and the defacto complainant. Therefore, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their 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, on condition that each of 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 petitioners shall report before the respondent police as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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/-
20/01/2015

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

TO

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

+1. CC to M/S.V.PANDIAN Advocate SR.No.2802
ORDER
IN
CRL OP(MD) No.790 of 2015
Date : 20/01/2015

NA/22/01/2015/P2/6C