



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

Wednesday, the Twenty First day of January Two Thousand Fifteen
PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.846 of 2015

WEB COPY

G.NEHEMIAH

... PETITIONER/ACCUSED NO.2

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
RAMANATHAPURAM DISTRICT.
CR. NO.23/2014.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.N.MOHAMED ASIF 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 :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 417, 494, 498(A), 406, 506(ii) r/w 109 IPC in Crime No.23 of 2014 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the first accused - Justin Benkar Raj got married to the *de facto* complainant by misrepresenting to her that he is a Scientist, working in England. It is alleged that this petitioner is a Pastor and the first accused used to come to the Church for prayer and in good faith, he had introduced the first accused to the family of the *de facto* complainant. It is also stated that the first accused was already arrested and remanded to judicial custody, on 25.12.2014.

3. Considering the above, I am 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, Rameshwaram, 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:

[a] the petitioner shall report before respondent police, twice a day at 10:30 in the morning and 06:30 in the evening for a period of two 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/-

21/01/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, RAMESHWARAM
- 2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE ALL WOMEN POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.N.MOHAMED ASIF Advocate SR.No.2716

ORDER

IN

CRL OP (MD) No.846 of 2015

Date : 21/01/2015

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