



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.9344 of 2015

WEB COPY

KAMARAJAN

... PETITIONER/ACCUSED RANK NOT KNOWN

VS

1.THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH
RAMANATHAPURAM DISTRICT

2.THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION
PARTHIBANOOR,
RAMANATHAPURAM DISTRICT
CRIME NO.24/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.K.MAHENDRAN Advocate

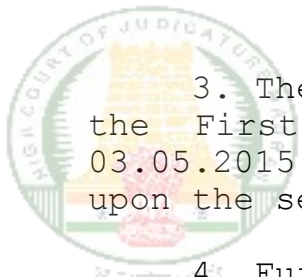
For Respondent : M/S.A.P.BALASUBRAMANIAN
Govt. Advocate (Crl. Side)

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 to grant anticipatory bail in Crime No.24 of 2015 on the file of the respondent Police for the alleged offence under Section 420 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 for the alleged offence under Section 420 of the Indian Penal Code in Crime No.24 of 2015. Further, it is specifically stated in the petition that the defacto complainant is the Manager of the State Bank of India in Parthibanoor Branch, Ramanathapuram District. Furthermore, it is stated in the petition that the petitioner has already retired on 30.03.2013 and also relieving Certificate has been issued to the petitioner, as per the details enclosed at page No.1 in the typed set of papers. Further, it is stated in the petition that now the first respondent is trying to include the petitioner with a view to harass the petitioner. The petitioner has retired from service as early as on 30th March, 2013, subsequently after the petitioner's retirement, four other cash officers and Manager handled the cash and gold jewels of the Bank. Further, it is stated in the petition that the petitioner is nothing to do with the offence.



3. The learned Government Advocate (Criminal Side) has produced the First Information Report in Crime No.24 of 2015, dated 03.05.2015 and the First Information Report has been filed based upon the second complaint lodged on 03.05.2015.

4. Further, it is reported on behalf of the petitioner that the petitioner is suffering from illness and taking medical treatment as per the medical records issued by Jayapal Nursing Home and Jegan Critical Care Centre, Manamadurai.

5. On a perusal of the said medical records also it is found that the petitioner is taking regular treatment in the said Hospital. Moreover, the petitioner has worked as an officer and retired on 30.03.2013 itself and also he has the right to get pension benefits and he has got permanent residence.

6. 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 No.II, Ramanathapuram 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 No.II, Ramanathapuram.

(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. for a period of two weeks and thereafter, as and when required for interrogation.

7. 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 /



TO

1. THE JUDICIAL MAGISTRATE NO.II,
RAMANATHAPURAM

2. -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT

3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH
RAMANATHAPURAM DISTRICT

4. THE INSPECTOR OF POLICE,
PARTHIBANOOR POLICE STATION
PARTHIBANOOR,
RAMANATHAPURAM DISTRICT

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.9344 of 2015

Date :21/05/2015

NA/IV/26/05/2015/P3/6C