



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.9412 of 2015

WEB COPY

S.MUTHUKUMAR

... PETITIONER/ ACCUSED

Vs

THE STATE REP.BY

THE INSPECTOR OF POLICE

KOODALPUDUR POLICE STATION, MADURAI TOWN,

IN CR.NO. 389 OF 2014.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.JAYARAMACHANDRAN Advocate

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

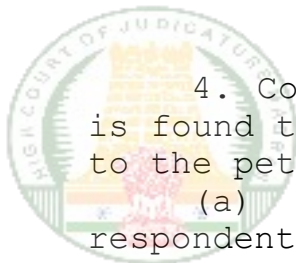
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

This is an application filed by the petitioner/accused to grant anticipatory bail in Crime No.389 of 2014 on the file of the respondent Police for the alleged offences under Sections 294(b), 406, 420 and 506(i) of the Indian Penal Code.

2. It is stated in the petition that the petitioner has been charged for the offences under Sections 294(b), 406, 420 and 506(i) of the Indian Penal Code and apprehending arrest, the petitioner has filed the present anticipatory bail application. Further, it is stated in the petition that the defacto complainant sent a complaint to the Superintendent of Police, Madurai District and obtained a direction from the learned Judicial Magistrate No.IV, Madurai under Section 156(3) of the Code of Criminal Procedure, 1973, based on which, the respondent Police have registered a case in Crime No.389 of 2014. Further, it is stated in the petition that it is highly improbable that the defacto complainant has paid a huge amount of Rs.12,43,000/- based on an unregistered sale deed and the defacto complainant has also filed a suit in Original Suit No.158 of 2014 on the file of the District Munsif Court, Madurai Taluk, in which, the petitioner has also filed his written statement along with counter claim.

3. The learned Government Advocate (Criminal Side), on instructions from the respondent Police, reported that the occurrence has happened on 16.09.2014 and the report has been made on 17.09.2014 and one named person and seven unnamed persons has been mentioned in the First Information Report and the investigation is almost over in this matter and only, the final report has to be



4. 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.IV, Madurai 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.IV, Madurai.

(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.

5. 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 NO.IV,MADURAI.

2.DO THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI

3.THE ADDL. PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE
KODALPUDUR POLICE STATION, MADURAI TOWN.

+1. CC to M/S.A.JAYARAMACHANDRAN Advocate SR.No.25893

ORDER

IN

CRL OP(MD) No.9412 of 2015

Date :21/05/2015

RG.26.05.2015

2P.6C.