



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

Monday, the First day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.14179 of 2015

G. BALAMURUGAN

... PETITIONER/SOLE ACCUSED

Vs

STATE REP BY THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI,
CRIME NO.NOT KNOWN OF 2015 ... RESPONDENT/COMPLAINANT

For Petitioner : M/S.J.JEYAKUMARAN 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 :-

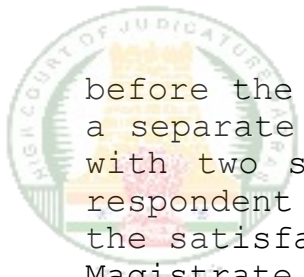
Apprehending arrest at the hands of the respondent police in Crime No.997 of 2015, on the file of the respondent police for offences under Sections 406 and 420 IPC, the petitioner is now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

3.It is the case of the de-facto complainant that the petitioner was doing real estate business and was having his office in the first floor of the building, in which, the de-facto complainant's uncle was also having a real estate business and on account of which, the de-facto complainant became friendly with the petitioner in the year 2013. It is further alleged by the de-facto complainant that without permission, the petitioner has sold the property and had taken the amount of Rs.4 lakhs in the year 2013 and had failed to keep up the promise.

4. Taking into consideration, the nature of the allegations and that the incident had taken place way back in the year 2013, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioner, but with conditions.

5. 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, No.II, Madurai, on executing a separate 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 the respondent police every day at 6.30 p.m. 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the petitioner is complying with the condition or not.

sd/-

01/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II,MADURAI
 - 2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI
 - 3 THE INSPECTOR OF POLICE
TALLAKULAM POLICE STATION, MADURAI
 - 4 THE ADDL.PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.J.JEYAKUMARAN Advocate SR.No.6444

ORDER

IN

CRL OP(MD) No.14179 of 2015

Date :01/02/2016

AA/GSV-AN/SAR-I/03.02.2016/2p-6c