



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

Friday, the Eleventh day of March Two Thousand Sixteen

PRESENT

THE HON`BLE MR JUSTICE P.N.PRAKASH

CRL OP(MD) No.20739 of 2015

ANGUSAMY

... PETITIONER / ACCUSED

Vs

STATE THROUGH
THE INSEPECTOR OF POLICE
URAIYOOR POLICE STATION,
THIRUCHIRAPPALLI,
CRIME NO NOT KNOWN OF 2015 ... RESPONDENT / COMPLAINANT

For Petitioner : M/S R.ARAVIND RAJ Advocate

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

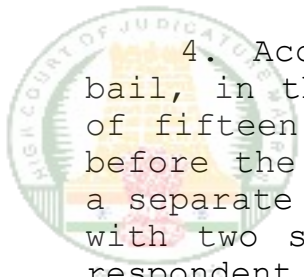
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.12 of 2016, on the file of the respondent police for offences under Section 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.When the matter was taken up for hearing, the learned Government Advocate submitted that a regular case in Crime No.12 of 2016 under Section 420 IPC has been registered against the petitioner. On a reading of the FIR, it is seen that the de-facto complainant had purchased an EICHER van bearing registration No.TN 48 Q 1264 on hire purchase. Since he was not able to pay the dues, he had entered into an agreement with the petitioner for selling the van and had received Rs.3 lakhs from the petitioner. It is alleged in the complaint that the petitioner had agreed to pay the de-facto complainant the balance installments towards the van and that the petitioner had failed to make payment. Taking into consideration the nature of the allegations, this Court is of the view that it is a fit case for grant of anticipatory bail. Accordingly, anticipatory bail is granted, but with conditions.



4. 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.IV, Trichy, 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 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/-

11/03/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.IV, TRICHY

2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT

3 THE INSEPECTOR OF POLICE
URAIYOOR POLICE STATION,
THIRUCHIRAPPALLI,

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

+1. CC to M/S R.ARAVIND RAJ Advocate SR.No.13935

ORDER

IN

CRL OP(MD) No.20739 of 2015

Date :11/03/2016

GJM/NGM/SS/AR-I-16.3.16-2P-6C