



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

Wednesday, the Tenth day of August Two Thousand Sixteen

PRESENT

WEB COPY

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.10290 of 2016

HARIHARAN

... PETITIONER/ACCUSED No.2

Vs

1 STATE THROUGH
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY,
TIRUNELVELI.
CRIME NO. 19 OF 2015

... 1ST RESPONDENT/COMPLAINANT

2 K. SURESH

... 2ND RESPONDENT/DEFACTO
COMPLAINANT

FOR PETITIONER : M/S.A.SELVENDRAN, ADVOCATE

FOR RESPONDENT : Mr.P.KANNITHEVAN, GOVERNMENT ADVOCATE (CRL. SIDE)

FOR INTERVENOR : M/S.A.SANKARA RAMASUBRAMANIAN, ADVOCATE

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

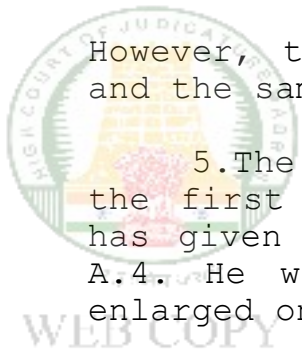
ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.2, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 406, 420, 468, 465, 471 and 506(i) IPC, in Crime No.19 of 2015, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused collected amounts from the the defacto complainant and others and issued fake appointment orders. On complaint, case has been registered for the above said offences.

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned counsel appearing for the petitioner submitted that four persons have given compliant against the accused persons and the petitioner settled the amount to the three complainants.



However, the fourth complaint is not given against the petitioner and the same is only against A.1 and A.4.

5.The learned Government Advocate (Criminal side) appearing for the first respondent submitted that the fourth complainant-Suresh has given money to A.1 and the complaint is only against A.1 and A.4. He would further submit that A.1 was already arrested and enlarged on bail and investigation is pending.

6.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner 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.I, Tirunelveli 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

- (i) the petitioner shall report before the respondent Police daily at 10.30 a.m. For a period of two weeks and thereafter, as and when required for interrogation.
- (ii) the petitioner shall not tamper with evidence or witness either during investigation or trial.
- (iii) the petitioner shall not abscond either during investigation or trial.
- (iv) 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]**.

7.The Inspector of Police concerned is directed to send a compliance report to the office of the learned Government Advocate, as to whether the petitioner is complying with the conditions or not.

sd/-
10/08/2016

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO.1,
TIRUNELVELI.
2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.
3. THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY,
TIRUNELVELI.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+ 1 CC TO MR.S.R.A.RAMACHANDRAN, ADVOCATE IN SR No. 43377

ORDER
IN
CRL OP(MD) No.10290 of 2016
Date :10/08/2016

PS
TE/SS-2/SAR-III : 18/08/2016 : 3P/6C