



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

Wednesday, the Twenty Fourth day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.13763 of 2016

MATHAN

... PETITIONER/ACCUSED NO.1

Vs

STATE REP.BY
THE INSPECTOR OF POLICE
RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
CRIME NO. 343 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.SATHIYA CHIDAMBARAM Advocate
For Respondent : MR.P.KANNITHEVAN, Govt. Advocate (Crl. Side)

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.1, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(ii) IPC, in Crime No.343 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant paid a sum of Rs.4,80,000/- to the petitioner for arranging job in abroad. But the petitioner did not arrange job in abroad and cheated the defacto complainant. On complaint, a case has been registered for the above said offences.

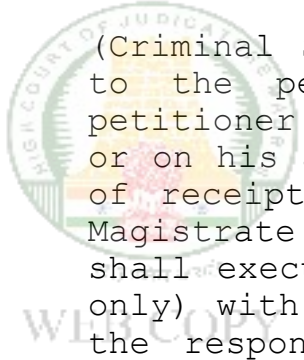
3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4. The learned counsel appearing for the petitioner submitted that the petitioner arranged visa for the defacto complainant and he was sent to Singapore for employment and he joined in the work. Due to his health condition, he could not able to continue the work and he came back to India.

5.The learned Government Advocate (Criminal side) appearing for the respondent submitted that the petitioner arranged job for the defacto complainant and sent him to Singapore and he also joined in the work and subsequently, due to his ill-health he was not able to continue his work and according to the Medical Certificate, he was return back to India and investigation is pending.

<https://hcservices.ecourts.gov.in/hcservices/>

6.Considering the facts and circumstances of the case and also considering the contention of the learned Government Advocate



(Criminal Side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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.I, Ramanathapuram, 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 10.00 a.m. until further orders.
- (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/-
24/08/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
- 2 THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE
RAMANATHAPURAM TOWN POLICE STATION,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.SATHIYA CHIDAMBARAM Advocate SR.No.47119
PS

CSL/SK-SKN/SAR-I/31.08.2016: 2P/6C

ORDER
IN

CRL OP(MD) No.13763 of 2016
Date :24/08/2016