



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

Thursday, the Eleventh day of August Two Thousand Sixteen
PRESENT

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

CRL OP(MD) No.13789 of 2016

P.NAGENDRAN

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
CHEKANURANI POLICE STATION,
MADURAI DISTRICT
CRIME NO. 321 OF 2016

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.R. MURUGAPPAN 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 :-

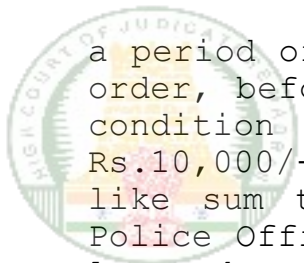
The petitioner, who is arrayed as accused, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 294(b) and 506(i) IPC, in Crime No.321 of 2016, on the file of the respondent police and hence, seeks anticipatory bail.

2. The case of the prosecution is that the mother-in-law of the *de-facto* complainant is the owner of the land to the extent of 6 ½ acres. Before 3 ½ years, she sold 40 cents of land to one Pandi, S/o.Chinnu. The said Pandi encroached the entire land. The petitioner, who is working in the Melur Police Station, approached the *de-facto* complainant stating that he will remove the encroachment and demanded Rs.1,20,000/- and the *de-facto* complainant gave the said amount to the petitioner on various dates. Subsequently, the petitioner did not remove the encroachment and did not repay the said amount to the *de-facto* complainant. When the same was enquired, the petitioner abused him in filthy language and threatened to kill him. On complaint, a case has been registered for the offences stated above.

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

4. The learned Government Advocate (Criminal side) submitted that on receiving the complaint, a case has been registered and investigation is going on.

5. 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, Usilampatti, 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]**.

6. 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/-
11/08/2016

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO.I, USILAMPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
CHEKANURANI POLICE STATION, MADURAI DISTRICT

4 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R. MURUGAPPAN Advocate SR.No.43999

PJL
CSL/CK/SAR-I/19.08.2016: 2P/6C

ORDER
IN
CRL OP(MD) No.13789 of 2016
Date :11/08/2016