



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

Thursday, the Fifteenth day of December Two Thousand Sixteen

PRESENT

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The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL OP(MD) No.23343 of 2016

R.JAYAPRAKASH

... PETITIONER / ACCUSED NAME
NOT MENTIONED IN FIR

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT, THENI.
CRIME NO.31 OF 2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.P.MUTHU VIJAYA PANDIAN, Advocate

For Respondent : MR.P.KANDASAMY, Government Advocate(Crl.Side)

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

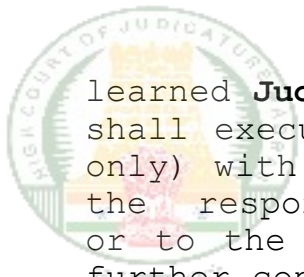
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 406, 420, 506(i) and 120(b) of I.P.C., in Crime No.31 of 2016, seeks anticipatory bail.

2. The learned Government Advocate (Crl.side) appearing for the respondent states that totally there are four accused in this case and the petitioner herein is A4 and A1 and A3 were arrested and in custody. A2 is still absconding. It is submitted that A4 is implicated as accused in this case on the basis of the confession given by A3. A3 has stated in his confession that he has paid a sum of Rs.5 lakhs towards commission to the petitioner herein. He further states that the investigation is still pending.

3. The learned counsel for the petitioner states that the petitioner has settled a sum of Rs.3,50,000/- to the de-facto complainant before the Bodi Taluk Police station.

4. Considering the above facts and circumstances of the case and also the fact that the petitioner has paid a sum of Rs.3,50,000/- to the de-facto complainant in this case, this Court is inclined to grant anticipatory bail to the petitioner. 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, Theni**, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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[a] the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-

15/12/2016

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

TO

1 THE JUDICIAL MAGISTRATE, THENI.

2 -DO-THRO' THE CHIEF JUDICIAL MAGISTRATE, THENI.

3 THE INSPECTOR OF POLICE, DISTRICT CRIME BRANCH, THENI DISTRICT, THENI.

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

+1. CC to M/S.P.MUTHU VIJAYA PANDIAN, Advocate SR.No.81295.

ORDER IN

CRL OP(MD) No.23343 of 2016

Date :15/12/2016

msm/ck/sar1/20.12.16/p2/6c