



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

Thursday, the Twenty Second day of December Two Thousand Sixteen

PRESENT

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

CRL OP(MD) No.23510 of 2016

S.RAJASEKAR

... PETITIONER / ACCUSED NO.4

Vs

The State through
THE INSPECTOR OF POLICE
THILAGAR THIDAL POLICE STATION, MADURAI CITY
CR.NO.773/2016

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.MURUGAN Advocate

For Respondent : Mr.P.Kandasamy Govt. Advocate (Crl. Side)

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

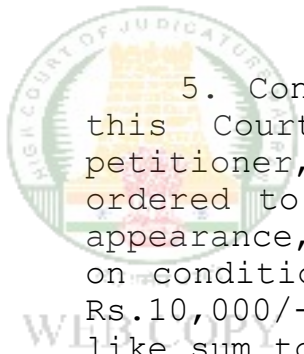
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 120(b), 380, 367, 371 and 420 of IPC., in Crime No.773 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the son-in-law of the defacto complainant stolen the 1994 document of the defacto complainant and deposited the same with State Bank of India, Tharapuram Branch for availing loan for his business.

3. The learned counsel appearing for the petitioner states that the petitioner is A4 in this case and A1 and A2 are son-in-law and daughter of the defacto complainant respectively and A3 is the previous the Bank Manager, who sanctioned the loan in favour of A1. It is further stated that SARFAESI Proceedings were initiated by the Bank. He would further submit that the petitioner has taken charge only in the year 2014 and he has not involved in sanction of loan or other proceedings in the matter.

4. The learned Government Advocate (crl.side) appearing for the State would submit that the defacto complainant is father-in-law of A1 in this case and the property document belonged to the defacto complainant was stolen by A1 and deposited the same with the Bank for availing the loan with the connivance of A3, the then Branch Manager of the Bank.



5. Considering the above facts and circumstances of the case, 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, before the learned Judicial Magistrate No.II, Madurai, 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 the petitioner shall report before the respondent police daily at 10.00 a.m., for a period of two weeks before the Tarapuram Police Station, for interrogation. The petitioner is further directed to report before the respondent police as and when required. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C., scrupulously.

6. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy is made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

22/12/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, MADURAI
- 2 -DO-THRO THE CHIEF JUDICIAL MAGISTRATE, MADURAI
- 3 THE INSPECTOR OF POLICE
THILAGAR THIDAL POLICE STATION, MADURAI
- 4 THE INSPECTOR OF POLICE
TARAPURAM POLICE STATION, TARAPURAM
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.R.MURUGAN Advocate SR.No.83142

sm:GSV-PM:SAR 2:27/12/2016:2P/7C

ORDER

IN

CRL OP(MD) No.23510 of 2016

Date :22/12/2016