



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

Monday, the Fourth day of April Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP(MD) No.4386 of 2016

1 S. VIJAYAK KUMAR
2 MUTHUKUMAR

... PETITIONERS / ACCUSED No.2 & A3

Vs

The State rep.by
THE INSPECTOR OF POLICE
MANDAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT,
CR NO.6 OF 2016.

... RESPONDENT / COMPLAINANT

VIJAYAMOORTHY

... INTERVENOR/PETITIONER

For Petitioner : M/S B.JAMEEL ARASU Advocate

For Respondent : Mr.A.P.Balasubramani, Govt. Advocate (Crl. Side)

For Intervenor : Mr.T.Vadivelan, Advocate

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

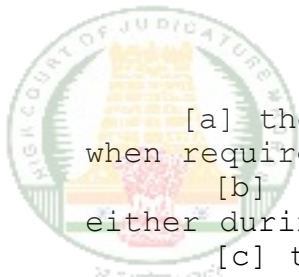
ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 465, 468 and 471 I.P.C. in Crime No.6 of 2016 on the file of the respondent police, seek anticipatory bail.

2. Heard the learned Counsel for the petitioners, the learned Government Advocate(Crl.Side) appearing for the State and the learned Counsel appearing for the intervenor.

3. It is seen that the petitioners and the defacto complainant are partners in real estate business and on account of partnership rivalry, the defacto complainant lodged two complaints in Cr.10 of 2016 and Cr.No.6 of 2016. On a reading of both F.I.Rs, it appears that on account of a dispute in the business, the criminal complaints have been lodged.

4. Taking into consideration the nature of allegations, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Keeranur, Pudukkottai District on condition that each of 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:



[a] the petitioners shall appear before the respondent police as and when required for interrogation;

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] On breach of any of the aforesaid conditions, the learned Judicial 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 Judicial 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/-

04/04/2016

/ TRUE COPY /

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

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT

2 -do-thro THE CHIEF JUDICIAL MAGISTRATE
PUDUKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
MANDAIYUR POLICE STATION,
PUDUKKOTTAI DISTRICT.

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

+1. CC to M/S B.JAMEEL ARASU Advocate SR.No.18754

sm:AAL-MPA:AR I:06.04.2016:2P/6c

ORDER

IN

CRL OP(MD) No.4386 of 2016

Date :04/04/2016