

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

Wednesday, the Seventeenth day of February Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL OP (MD) No.1942 of 2016

1 C. RAJA
2 MURUGAYEE

... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PERIAYUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 24 OF 2016)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S D.SENTHIL Advocate

For Respondent : MR.A.P.BALASUBRAMANI, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

Apprehending arrest at the hands of the respondent police in Crime No.24 of 2016, on the file of the respondent police for offences under Sections 406, 468 and 471 IPC, the petitioners are now before this Court seeking Anticipatory Bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3.It is alleged by the defacto complainant that property in question is an ancestral property and the accused, who is the brother of the defacto complainant, had made their mother to execute the document in favour of his wife which is a fraudulent act.

4.Taking into consideration the nature of allegations against the petitioners, this Court is of the view that it is a fit case to grant anticipatory bail to the petitioners, but with conditions.

5. 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 Judicial Magistrate, Peraiyur, on executing a separate 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,

(a) the 1st petitioner shall report before the respondent police everyday at 6.30 p.m until further orders. The second petitioner shall report 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 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]**.

[e] The Inspector of Police concerned is directed to send compliance report to the office of the learned Government Advocate (Crl. Side) as to whether the 1st petitioner is complying with the condition or not.

sd/-
17/02/2016

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
PERAIYUR
- 2 DO THRO' THE CHIEF JUDICIAL MAGISTRATE
MADURAI.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 4 THE INSPECTOR OF POLICE
PERIAYUR POLICE STATION,
MADURAI DISTRICT.

+1. CC to M/S D.SENTHIL Advocate SR.No.9283

ORDER
IN
CRL OP(MD) No.1942 of 2016
Date :17/02/2016

RG.JGB-DP/AR-I 19/02/2016 2P:6C