



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

Tuesday, the Twenty Ninth day of August Two Thousand Seventeen

PRESENT

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

CRL OP(MD) No.10972 of 2017

V.NAGARAJAN

... PETITIONER/ACCUSED NO.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE
MATHICHAYAM POLICE STATION,
MADURAI
CRIME NO.343 OF 2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.I.SABEER MOHAMED Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

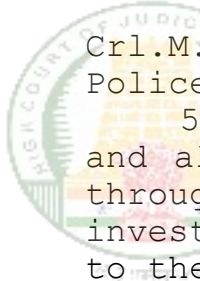
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 420 and 506(ii) of IPC., in Crime No.343 of 2017, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant has wrongly deposited a sum of Rs.50,000/- to A1's account and a sum of Rs.50,000/- on A2's account through online and when the defacto complainant demanded the amount, both the accused said to have threatened the defacto complainant and refused to pay the amount and during investigation of the case, the defacto complainant received a sum of Rs.1,00,000/-, in the presence of Police officials and also a statement was given to that effect before the respondent Police, on 10.04.2017.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent and he has not committed any offence, as alleged by the prosecution.

4. The learned Additional Public Prosecutor appearing for the respondent, on instructions, would submit that there are totally two accused in this case and the petitioner herein is arrayed as A1. As per the order of the learned Judicial Magistrate No.II, Madurai in



CrI.M.P.No.1053 of 2017, the case was registered by the respondent Police and the investigation is still pending.

5. Considering the above facts and circumstances of the case and also considering the fact that the amount received by A1 & A2 through their account was returned to the defacto complainant during investigation, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. 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 respondent Police once in a week ie., on every Sunday at 10.30 a.m., until further orders, for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C., scrupulously.

7. 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/-
29/08/2017

/ 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 THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE
MATHICHAYAM POLICE STATION, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.I.SABEER MOHAMED Advocate SR.No.29614

MPK
CSL/RR-BS/SAR-I/31.08.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.10972 of 2017
Date :29/08/2017