



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

Monday, the Fourth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.11335 of 2017

WEB COPY

CHANDRAMOULI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY,
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TIRUNELVELI,
TIRUNELVELI DISTRICT.
CRIME NO.18/2017

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.PUGALENDHI 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 :-

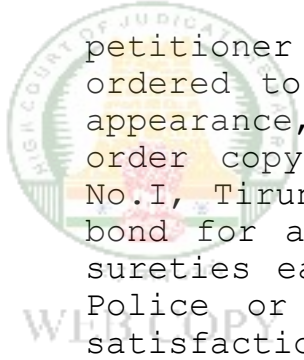
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 420, 418 of I.P.C. in Crime No.18 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has got hand loan for a sum of Rs.4,00,000/- from the de-facto complainant for family expenses and he gave three cheques to the de-facto complainant for the purpose of returning the said amount but unfortunately, the cheques were returned. Hence, the de-facto complainant has given a false complaint against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner has got a hand loan of Rs.4,00,000/- and due to financial crises, he was not able to deposit the amount and the cheque got dishonored and therefore, the case is filed. He did not have any intention of cheating.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the investigation is pending and hence, he opposed for granting anticipatory bail.

5. Considering the facts and circumstances of the case and also considering fact that the petitioner is ready to pay a sum of Rs.1,00,000/-, I am inclined to grant anticipatory bail to the



petitioner on certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of 15 days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.I, Tirunelveli, 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:

[a]the petitioner shall report before the respondent Police every Monday at 10.30 a.m. until further orders.

[b] the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of crime No.18 of 2017 on the file of the respondent police.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]on breach of any of the aforesaid conditions, the learned Magistrate / Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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/-

04/09/2017

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I,TIRUNELVELI
- 2 THE CHIEF JUDICIAL MAGISTRATE,TIRUNELVELI
- 3 THE INSPECTOR OF POLICE, CITY CRIME BRANCH, TIRUNELVELI,
TIRUNELVELI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.11335 of 2017

Date :04/09/2017