



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.11347 of 2017

CHANDRAMOULI

... PETITIONER/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

CITY CRIME BRANCH,

TIRUNELVELI TIRUNELVELI DISTRICT,

CR.NO.17/2017

... 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 :-

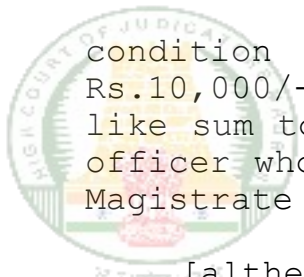
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 420, 418 of I.P.C. in Crime No.17 of 2017 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner has got hand loan for a sum of Rs.10,00,000/- 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 is an innocent person and he got hand loan from the petitioner and due to financial crises, he was not able to pay the amount.

4.The learned Additional Public Prosecutor appearing for the respondent Police submitted that the investigation is pending.

5.Considering the facts and circumstances of the case, I am 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, 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.3,00,000/- (Rupees Three Lakh only) to the credit of crime No.17 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

/ TRUE COPY /

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

TA/SKN
TO

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

GJM/PM/PN/SAR-3-18.9/17-2P-5C

ORDER
IN
CRL OP(MD) No.11347 of 2017
Date :04/09/2017