



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.11484 of 2017

SENTHILKUMAR

... PETITIONER/ ACCUSED NO.2

Vs

STATE REP.BY
THE SUB INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
(CRIME NO. 209 OF 2016)

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.A.UTHAYAKUMAR Advocate

For Respondent : M/S.A.RAMAR, ADDITIONAL PUBLIC PROSECUTOR

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

ORDER : The Court Made the following order :-

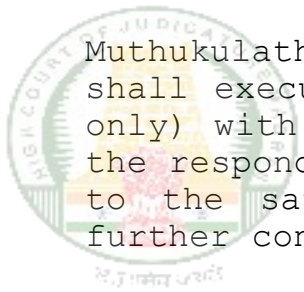
The petitioner/A2, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 120(b), 420 and 468 of I.P.C, in Crime No.209 of 2016, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the first accused in this case has received a sum of Rs.1,40,000/- from the de-facto complainant in installment basis, towards sale of 10 cents of plot and subsequently, he neither registered a sale deed nor returned the amount. Hence, a complaint has been lodged.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he is no way connected with the offence.

4.The learned Additional Public Prosecutor appearing for the respondent Police, on instruction, would submit that there are totally four accused in this case and the petitioner is arrayed as A2 and A1, A3 and A4 were granted anticipatory bail by this Court in CrI.O.P.(MD)No.16476 of 2016.

5.Considering the facts and circumstances of the case and also taking note of the fact that the co-accused were released on anticipatory bail, I am inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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,



Muthukulathur, Ramnad District, 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 as and when required for the purpose of interrogation;

[b]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c]the petitioner 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 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.

TO

1. THE JUDICIAL MAGISTRATE, MUTHUKULATHUR,
RAMNAD DISTRICT.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.
3. THE SUB INSPECTOR OF POLICE,
MUTHUKULATHUR POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.UTHAYAKUMAR Advocate SR.No.30134

ORDER

IN

CRL OP(MD) No.11484 of 2017

Date :04/09/2017

MS/PM-PN/SAR.1/15.09.2017/2P.6C