



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

Thursday, the Twenty Eighth day of September Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.V.MURALIDARAN

CRL OP(MD) No.12758 of 2017

V. GANAPATHY,

... PETITIONER/ACCUSED RANK NOT KNOWN

Vs

THE STATE REP BY  
THE INSPECTOR OF POLICE,  
AMBATHURAI POLICE STATION,  
DINDIGUL DISTRICT.  
CRIME NO. NOT KNOWN OF 2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.R.PON KARTHIKEYAN Advocate

For Respondent : MR.C.RAMESH, Additional Public Prosecutor,

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

ORDER : The Court Made the following order :-

The petitioner / accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Section 406, 506(ii) and 420 of IPC Crime No.Not Known of 2017 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant borrowed hand loans from the accused persons for which he executed a power deed as security and subsequently, without the knowledge of the de facto complainant he has sold the property to the third parties.

3. The learned counsel appearing for the petitioner states that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case.

4. The learned Additional Public Prosecutor appearing for the respondent on instructions would submit that only the petition enquiry is pending.

5.Considering the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. 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.II, Dindigul 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 appear before the respondent Police daily at 10.30 am for a period of one week and thereafter, as and when required for interrogation.

[b] The respondent Police is directed to complete the enquiry and register an FIR or complete the enquiry within a period of one week.

[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 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)**.

sd/-  
28/09/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, DINDIGUL
- 2 THE CHIEF JUDICIAL MAGISTRATE  
DINDIGUL DISTRICT
- 3 THE INSPECTOR OF POLICE,  
AMBATHURAI POLICE STATION,  
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.R.PON KARTHIKEYAN Advocate SR.No.31715

ORDER  
IN  
CRL OP(MD) No.12758 of 2017  
Date :28/09/2017