



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.13338 of 2017

WEB COPY

S. CHELLAIAH

... PETITIONER/SOLE ACCUSED

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TIRUNELVELI CITY.

TIRUNELVELI

(CRIME NO. NOT KNOWN OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.VENKATESAN 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 :-

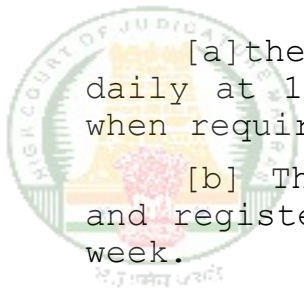
The petitioner / sole accused, who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 406,420,294(b),506(ii) of IPC and 379 NP of IPC in Crime No.Not Known of 2017 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute the petitioner is alleged to have threatened the de facto complainant with dire consequences.

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 it is a case of money dispute and 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.I, Thirunelveli 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.1, TIRUNELVELI
- 2 THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT
- 3 THE INSPECTOR OF POLICE, CITY CRIME BRANCH, TIRUNELVELI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.VENKATESAN Advocate SR.No.31882

ORDER
IN
CRL OP(MD) No.13338 of 2017
Date :28/09/2017

PK/RR-BS/SAR-1/04.10.2017 : 2P/6C