



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

Monday, the Ninth day of October Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.13471 of 2017

G.PANDIAN

... PETITIONER/ACCUSED No.1

Vs

STATE REP BY
THE INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION,
KARAIKUDI, SIVAGANGAI DISTRICTT.
CRIME NO.550/2017

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.D.RAMESHKUMAR Advocate

For Respondent : MR.K.ANBARASAN, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

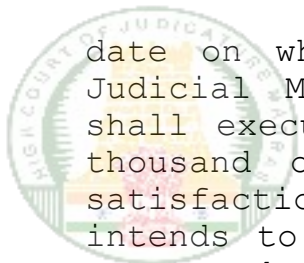
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 474, 420, 294(b), 506(i) IPC., in Crime No.550 of 2017, on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have created a forged rental agreement between him and the defacto complainant and occupied the said premises, now the petitioner refused to vacate the same. Aggrieved by the same, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioner would submit the petitioner never committed any offence as alleged by the prosecution. Due to political motive, the defacto complainant preferred a false and untenable complainant as against the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that investigation is still 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, Karaikudi, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (rupees twenty five 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 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) the petitioner shall not commit any offence while on bail;

[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/-

09/10/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, KARAIKUDI, SIVAGANGAI DISTRICT
 - 2 THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT
 - 3 THE INSPECTOR OF POLICE
KARAIKUDI NORTH POLICE STATION, KARAIKUDI, SIVAGANGAI DISTRICT
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- +1. CC to M/S.D.RAMESHKUMAR Advocate SR.No.32407

ORDER

IN

CRL OP(MD) No.13471 of 2017

Date :09/10/2017

SMA/RR-BS/SAR-2/12.10.2017:2P/6C