



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

Friday, the Twenty Fourth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.16099 of 2017

S.SARAVANAN

... PETITIONER / ACCUSED NO.5

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE,
MEIGNANAPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
CRIME NO.235/2014

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.SUBRAMANI Advocate

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

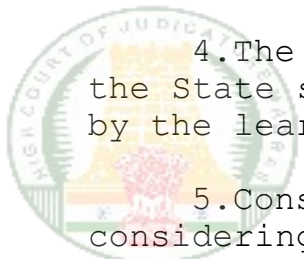
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as Accused No.5, apprehends arrest at the hands of the respondent police for the offences punishable under Sections 418, 467, 468 and 471 of I.P.C., r/w. Section 109 of I.P.C., in Crime No.235 of 2014, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner is working as a Sub-Registrar, Udangudi in the year 2014, the other accused in the present case entered into settlement deed and thereby, aggrieved party, who is the retired Deputy Superintendent of Police preferred a complaint to the respondent police against the petitioner. After investigation, the law enforcing agency deleted the petitioner's name in the FIR. Thereafter, the defacto complainant filed protest petition before the concerned Magistrate Court and the same has also been allowed by the learned Magistrate. Aggrieved by the same, the petitioner has come forward with the present petition. He has also filed a quash petition before this Court and obtained an order of interim stay against the order passed in Cr.M.P.(ND)No.235 of 2014 on the file of the learned Judicial Magistrate, Sathankulam.

3.The learned counsel for the petitioner submitted that the respondent police after completion of investigation, deleted the petitioner's name in the FIR. He further submitted that the petitioner did not commit any offence as alleged by the prosecution. He would submit that the petitioner performed his duty only to register the sale deed, which was present before him.



4.The learned Government Advocate (Criminal side) appearing for the State submitted that he did not dispute the factual aspects made by the learned counsel for the petitioner.

5.Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), 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 fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Santhankulam, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioner shall report before the respondent police, as and when required for interrogation;

(ii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioner shall not abscond either during investigation or trial;

(iv) the petitioner shall not commit any offence while on bail;

(v) 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 and the anticipatory bail granted stands cancelled automatically.

sd/-

24/11/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE, SANTHANKULAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MEIGNANAPURAM POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.THIRUVADI KUMAR Advocate SR.No.35107

ORDER IN
CRL OP(MD) No.16099 of 2017
Date :24/11/2017