



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

Wednesday, the Twenty Sixth day of April Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.5187 of 2017

MOHAMAD RABI

... PETITIONER/ACCUSED NO.I

Vs

STATE BY
THE INSPECTOR OF POLICE
NORTH POLICE STATION,
THOOTHUKUDI,
CRIME NO.607 OF 2014

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.P.SAMUEL GUNASINGH Advocate

For Respondent : MRS.S.PRABHA, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

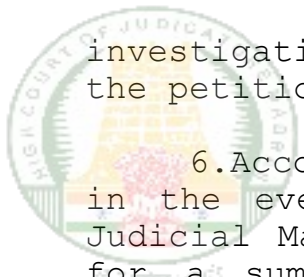
The petitioner, who is arrayed as accused No.1 in Crime No.607 of 2014 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420 and 506(ii) of IPC and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the respondent/State.

3.The case of the prosecution is that the defacto complainant is said to have borrowed a sum of Rs.1,70,000/- by pledging his gold jewels from the petitioner and when he asked for return of the jewels, the petitioner is said to have threatened him and thereby committed the offence.

4.The learned Government Advocate (crl. Side) on instructions would submit that the crime number is of the year 2014.

5.Considering the facts and circumstances of the case and also considering the fact that though the crime number is of the year 2014, the respondent police has not taken any steps to arrest the accused till date and hence, in order to facilitate the



investigation, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No.II, Thoothukudi and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders, for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
26/04/2017

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.II, THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE
NORTH POLICE STATION, THOOTHUKUDI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.P.SAMUEL GUNASINGH Advocate SR.No.21275

RJ2
CSL/BS/SAR-IV/02.05.2017 : 2P/6C

ORDER
IN
CRL OP(MD) No.5187 of 2017
Date : 26/04/2017