



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

Thursday, the Twenty Second day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL OP(MD) No.7759 of 2017

KMH.HABIB NAJJAR

... PETITIONER/SOLE ACCUSED

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
SIVAGANGAI POLICE STATION,
SIVAGANGAI DISTRICT.
C.C.NO.47 OF 2017.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.T.SELVAKUMARAN Advocate

For Respondent : MR.A.RAMAR, Additional Public Prosecutor

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

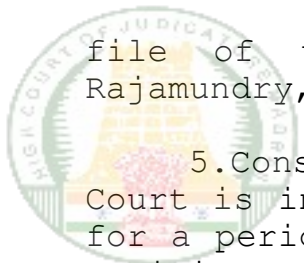
ORDER : The Court Made the following order :-

The petitioner / sole accused apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 138 of Negotiable Instruments Act, in C.C No.47 of 2017 on the file of the 3rd Additional Judicial First Class Magistrate, Rajamundry, Andrapredesh and hence, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3.The learned counsel for the petitioner submitted that on the basis of the private complaint given by one Naga Malleswari, wife of N.V.Suryanarayana of Rajamundry, a case in C.C.No.47 of 2017 is pending before the learned III Additional Judicial First Class Magistrate, Rajamundry and due to his absence on 23.02.2017, the said Court issued Non Bailable warrant and hence, the petitioner filed the present anticipatory bail application. He would further submit that the petitioner is hailing from respected family and good reputation and respectable law abiding citizen. He is an innocent and he is ready to abide any conditions.

4.The learned Additional Public Prosecutor appearing for the State submitted that since the private complaint is pending on the



file of the III Additional Judicial First Class Magistrate, Rajamundry, Andrapradesh, he could not get any instructions.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner only for a period of two weeks with certain conditions. 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.I, Sivagangai 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. It is made clear that this order shall be valid only for a period of two weeks from the date of receipt of the order. Before completion of such period, the petitioner may approach the concerned jurisdictional Court for appropriate relief. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

sd/-

22/06/2017

/ TRUE COPY /

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

TO

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

+1. CC to M/S.T.SELVAKUMARAN Advocate SR.No.24842

ARUL/GSP

CSL/PM-PN/SAR-I/27.06.2017 : 2P/6C

ORDER

IN

CRL OP(MD) No.7759 of 2017

Date : 22/06/2017