



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

Wednesday, the Tenth day of January Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL OP (MD) No.228 of 2018

S.N.P.IBRAHIM

... PETITIONER/ACCUSED No.3

Vs

STATE REPRESENTED BY ITS,
THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.
(IN CRIME NO.598 OF 2015)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.MALAIKANI, Advocate

For Respondent : M/S.S.SUYAMBULINGAM, Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

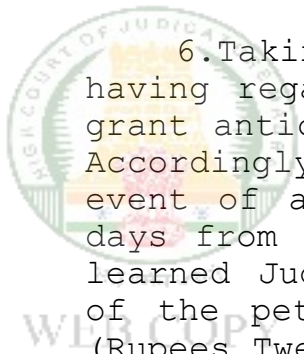
The petitioner, who apprehends arrest at the hands of the respondent Police for the offence punishable under Sections 120(b), 417, 468, 471 and 420 IPC in Crime No.598 of 2015 on the file of the respondent Police, seeks anticipatory bail.

2.The case of the prosecution is that due to some civil dispute in respect of purchasing a land, the de facto complainant preferred the complaint against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner has not committed any offence as alleged by the prosecution and he is no way connected with the offences, and pleads for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that the investigation is completed and charge sheet has been filed before the concerned Magistrate.

5.The submissions made by the learned counsel on either side are considered. This case has been registered for the offences punishable under Sections 120(b), 417, 468, 471 and 420 IPC. As per the submissions of the learned Government Advocate (Crl.side), investigation is completed and charge sheet has been filed before the concerned Magistrate. Further, co-accused are released on anticipatory bail. Accordingly, granting bail in favour of the petitioner, do not affect the process of the trial.



6. Taking all the above said aspects into consideration and having regard to the nature of offence, this Court is 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 No.VI, Madurai, on condition that each of 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 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 learned Judicial Magistrate No.VI, Madurai daily at 10.30 a.m. for a period of two weeks and thereafter, 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) On breach of any of the aforesaid conditions, the anticipatory bail granted to the petitioner shall stand automatically cancelled and 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/-

10/01/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.MALAIKANI Advocate SR.No.634

ORDER

IN

CRL OP(MD) No.228 of 2018

Date :10/01/2018