



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

Friday, the Twentieth day of April Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP (MD) No.6269 of 2018

M.P. GNANASEKARAN

... PETITIONER / ACCUSED NO.1

Vs

THE STATE REP.BY,
THE INSPECTOR OF POLICE
CITY CRIME BRANCH, TRICHY CITY,
CRIME NO.4/2018

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.B.JAMEEL ARASU Advocate

For Respondent : MR.A.P.G.OHM CHAIRMA PRABHU
Govt. Advocate (Crl. Side)

For Intervenor : M/S.S.GOPALAMANIKANDAN Advocate

PETITION FOR BAIL Under Sec. 439 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner is arrayed as the accused No.1. He was arrested and remanded to judicial custody on 05.04.2018 for the offences punishable under Sections 406, 420 IPC and Section 10 of Emigration Act in Crime No.4 of 2018, on the file of the respondent police. He seeks bail.

2.The petitioner undertakes through his counsel that he would deposit a sum of Rs.3,37,500/- to the credit of Crime No.4 of 2018 before the Judicial Magistrate No.I, Trichy within a period of three months from today. On such deposit, it will open to the de facto complainant to withdraw the said amount. If this condition is breached, this order shall stand cancelled automatically and the petitioner will be re-submitted to the custody.

3.The learned counsel for the petitioner further submitted that if any of the documents of the de facto complainant are in possession of the petitioner herein, the same will be returned to the de facto complainant.

4.The de facto complainant is permitted to withdraw the said deposited amount. The de facto complainant shall execute deed of cancellation of sale dated 17.07.2017 executed by the petitioner in favour of the mother of the de facto complainant. The cost of the cancellation will be borne by the petitioner.



5. Recording the undertaking, this Court is inclined to enlarge the petitioner on bail with certain conditions. Accordingly, the petitioner is ordered to be released on bail, subject to the following conditions;

(i) the petitioner shall execute 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 Judicial Magistrate No.I, Trichy.

(ii) the petitioner is directed to appear before the respondent police as and when required for interrogation.

(iii) the petitioner shall not abscond.

(iv) on breach of any of the aforesaid conditions, the 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 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/-
20/04/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE INSPECTOR OF POLICE
CITY CRIME BRANCH, TRICHY CITY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

- +1. CC to M/S.B.JAMEEL ARASU Advocate SR.No.6739
+1. CC to M/S.S.GOPALAMANIKANDAN Advocate SR.No.6651

ORDER
IN
CRL OP(MD) No.6269 of 2018
Date :20/04/2018