



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

Wednesday, the Sixth day of June Two Thousand Eighteen

PRESENT

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

CRL OP(MD) No.8550 of 2018

SAMATHANAPRABU @ MAYAN

...PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT,
CR NO NOT KNOWN OF 2018.

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.C.MAYILVAHANA RAJENDRAN Advocate

For Respondent : MR.A.ROBINSON, Government Advocate (Crl. Side)

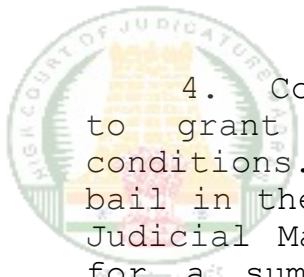
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 406, 420, 506(i) of IPC., and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 2002, in Crime No.106 of 2018, seeks anticipatory bail.

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

3. The learned counsel for the petitioner pointed out that no doubt there was business transaction between him and the defacto complainant herein. In this regard Crime No.45 of 2017 was registered on the file of the Ethamozhi Police Station for the offence under Sections 147, 148, 294(b), 341, 323, 324, 365 and 506 (ii) of IPC. In fact, the defacto complainant was arrested on the said case. The said complaint was given on 29.03.2017. The present complaint was lodged only on 15.05.2018. The delay in lodging the present complaint is not explained. More so, when the defacto complainant was arrested on the information lodged by the petitioner herein in March, 2017, this delay does raise some doubt on the veracity of the present complaint. The learned counsel for the petitioner submitted that the petitioner is not having any other case in his credit.



4. Considering the above said aspects, 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 before the learned Judicial Magistrate No.III, Nagercoil, and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

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

sd/-
06/06/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE NO.III, NAGERCOIL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KANYAKUMARI DISTRICT AT NAGERCOIL
- 3 THE INSPECTOR OF POLICE
RAJAKKAMANGALAM POLICE STATION,
KANYAKUMARI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.C.MAYILVAHANA RAJENDRAN Advocate SR.No.9680

PJL
GJM/CSL/RR/GSR/11.6.18-2P-6C

ORDER
IN
CRL OP(MD) No.8550 of 2018
Date :06/06/2018