



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

Thursday, the First day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) No.18619 of 2018

K.BALASUBRAMANIAN

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, MADURAI CITY,
MADURAI.
IN CRIME NO. 39 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.PREMKUMAR Advocate

For Respondent : Mrs.M.ANANTHA DEVI, Government Advocate (Crl.Side)

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

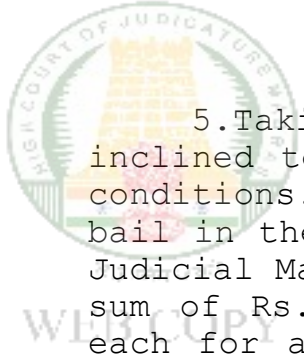
ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 468 and 471 I.P.C, in Crime No.39 of 2018, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is trying to usurp the house of the defacto complainant.

3.The learned counsel appearing for the petitioner would submit that the defacto complainant with an ulterior motive is trying to give a criminal colour and the dispute is a pure civil in nature. Further, he would submit that the petitioner filed a suit for specific performance and the same was withdrawn by the petitioner. Subsequently, the petitioner gave a complaint on the defacto complainant before the respondent police. After enquiry, the same was also closed as mistake of fact. Immediately, as a retaliation, the defacto complainant preferred the instance complaint only to harass the petitioner. Hence, he prays for anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the investigation is pending.



5. Taking note of the facts and circumstances, 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.I, Madurai 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 for a period of two weeks and thereafter, as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

6. 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 shall stand dismissed.

sd/-
01/11/2018

/ TRUE COPY /

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

TO

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

+1. CC to M/S.S.PREMKUMAR Advocate SR.No. 21030

ORDER
IN
CRL OP(MD) No.18619 of 2018
Date :01/11/2018

JM/VR MMS/SAR 4/13.11.2018/2P/6C