



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

Thursday, the Thirteenth day of December Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.22022 of 2018

SUGUMAR

... PETITIONER / ACCUSED
RANK NOT KNOWN

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
E3 ANNA NAGAR POLICE STATION,
MADURAI.
IN CRIME NO. 1624 OF 2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.D.SRINIVASARAGAVAN Advocate

For Respondent : MR.S.CHANDRASEKAR, Additional Public Prosecutor

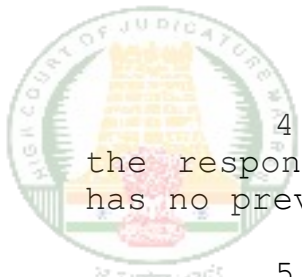
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 417, 420, 323 and 506(i) I.P.C in Crime No.1624 of 2018, seeks anticipatory bail.

2. The case of the petitioner is that petitioner is said to be an accomplice of A-1 in this case. A-1 was arrested on 06.12.2018. In his confession, the role of this petitioner has been clearly stated. The defacto complainant paid a sum of Rs.5,00,000/- to A-1 and handed over him his car to recover Rs.3 crores, which was advanced to one Muthu Krishnan. The said Muthu Krishnan, since passed away, A-1 had not acted, as per his promise. Thereafter, the defacto complainant said to have approached the first accused for getting the cash of Rs.5,00,000/-. Thereafter on 06.12.2018, this petitioner along with others said to have attacked the defacto complainant.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence. Hence, he prayed for anticipatory bail to the petitioner.



4.The learned Government Advocate (Crl.Side) appearing for the respondent, on instructions, would submit that the petitioner has no previous case and investigation is going on.

5.Considering the above submissions, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions;

6.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.VI, Madurai on condition that 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 Magistrate concerned and on further condition that;

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent Police daily at 10.00 a.m until further orders for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, 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]**.

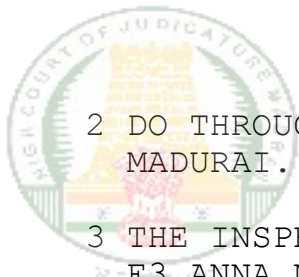
[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
13/12/2018

/ TRUE COPY /

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

TO



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3 THE INSPECTOR OF POLICE,
E3 ANNA NAGAR POLICE STATION, MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.D.SRINIVASARAGAVAN Advocate SR.No.23293

ORDER
IN
CRL OP(MD) No.22022 of 2018
Date :13/12/2018

JM/VR MMS/SAR 3/20.12.2018/3P/6C