



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

Monday, the Sixteenth day of July Two Thousand Eighteen

WEB COPY

PRESENT

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

CRL OP(MD) No.11290 of 2018

M.JEYAMANI

... PETITIONER/ACCUSED
RANK NOT KNOWN

Vs

STATE REPRESENTED BY,
THE INSPECTOR OF POLICE,
ANDIPATTI POLICE STATION,
THENI DISTRICT.
IN CRIME NO. NOT KNOWN OF 2018

... RESPONDENT/COMPLAINANT

P.SUSILA

...INTERVENOR/DEFACTO COMPLAINANT

For Petitioner : MR.S.RAMESH BABU, Advocate

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

For Intervenor : MR.R.VENKATESAN, for
M/S.RIGHT LAW ASSOCIATES, Advocate

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

ORDER : The Court Made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under Sections 406 and 420 of I.P.C., in Crime No. not known of 2018 on the file of the respondent police, seeks anticipatory bail.

2. It appears to be a case of borrowal. According to the defacto complainant a sum of Rs.3,60,000/- was paid. But the learned counsel for the petitioner submits that a sum of Rs.1,20,000/- was borrowed by the petitioner and a sum of Rs.20,000/- has already been paid by the petitioner. The learned counsel for the petitioner undertakes that the petitioner will pay a sum of Rs.1,00,000/- to the defacto complainant directly within a period of three months.

3. The defacto complainant can accept the same, without prejudice to her rights to proceed against the petitioner for recovery of the balance amount. If the petitioner has failed to pay a sum of Rs.1,00,000/- within three months, the defacto complainant shall file a contempt petition before me for breach of undertaking.



4. Recording the undertaking given by the learned counsel for the petitioner that the further amount of Rs.1,00,000/- will be paid to the defacto complainant directly, 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, Andipatti, and 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 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 made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
16/07/2018

/ TRUE COPY /

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

TO

- 1 THE JUDICIAL MAGISTRATE,
ANDIPATTI
- 2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT
- 3 THE INSPECTOR OF POLICE
ANDIPATTI POLICE STATION, THENI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

+1. CC to M/S.S.RAMESH BABU Advocate SR.No.13222

+1 cc to M/S.RIGHT LAW ASSOCIATES, Advocate SR.No.13128

ORDER
IN
CRL OP(MD) No.11290 of 2018
Date :16/07/2018