



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

Monday, the Seventeenth day of December Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP (MD) No.22229 of 2018

MANIBHARATHI

... PETITIONER / RANK NOT
KNOWN

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
ANNA NAGAR POLICE STATION,
MADURAI CITY, MADURAI.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.K.SUDALAIYANDI 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 prosecution is that 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. Hence, the complaint.

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 Additional Public Prosecutor 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;

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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/-
17/12/2018

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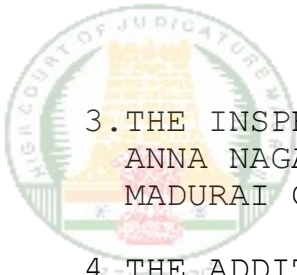
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO VI, MADURAI

2. THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.records.gov.in/hcservices/>
MADURAI DISTRICT.



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

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

+1. CC to Mr.K.SUDALAIYANDI Advocate SR.No.23462

ORDER

IN

CRL OP (MD) No.22229 of 2018

Date :17/12/2018

TK/PN.AC/SAR-4/21.12.2018/3P/6C