



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

Wednesday, the Eighth day of May Two Thousand Nineteen

PRESENT

The Hon`ble Mrs.Justice T.KRISHNAVALLI

CRL OP (MD) No.6781 of 2019

M.RAJA,

... PETITIONER / ACCUSED No.4

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI.
(CRIME NO.793/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.S.VIKRAM Advocate

For Respondent : M/S.S.BHARATHI,
Govt. 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 alleged offences under Section 420 of IPC, in Crime No.793 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainant is working as Regional Manager, State Bank of India, Trichy Branch and he came to know that some persons cheated the bank authorities by pledging aluminium jewels under the guise of gold jewels with the help of the petitioner. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instructions, would submit that the petitioner is ready to pay a sum of Rs.25,000/-before the trial Court. Hence, he seeks for grant of anticipatory bail.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Crl. Side) would submit that



since the petitioner himself has come forward to pay Rs.25,000/- before the trial Court and she has no serious objection for grant of anticipatory bail. She would further submit that the investigation is still pending.

5. Considering the facts and circumstances of the case and considering the fact that there is no specific overtact against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.1, Sivagangai, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) before the Trial Court within a week from the date of receipt of a copy of this order and thereafter sureties shall be accepted;

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]**; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

08/05/2019

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO. I,
SIVAGANGAI.

2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE,
KALAIYARKOVIL POLICE STATION,
SIVAGANGAI.

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

+1 CC to MR. S. VIKRAM, Advocate (SR-8279[I] dated 10/05/2019)

ORDER

IN

CRL OP (MD) No. 6781 of 2019

Date : 08/05/2019

AE/MMS/SAR-IV (13.05.2019) 3P 6C