



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

Thursday, the Fourth day of April Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2068 of 2019

V.C.THIYAGESWARAN

... PETITIONER /SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR
(CR.NO.550/2018)

... RESPONDENT / COMPLAINANT

For Petitioner : MR.L.GEORGE PAUL ANTO 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, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b), 506 (ii) and 420 IPC, in Cr.No.550 of 2018 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner obtained lease deed from the defacto complainant for the purpose of getting Gas Agency Dealership, in which, the defacto complainant assured him as a partner in the petrol bunk. However, the accused person refused to discharge the lease deed, for which, the defacto complainant filed a complaint before the respondent police.

3.The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. He further submitted that earlier, the alleged lease deed is said to have been executed by the petitioner in favour of the defacto complainant, was cancelled in the year 2010 and 2015 itself, due to which, the defacto complainant filed a false complaint before the respondent police.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the defacto complainant did not co-



operate with the investigation and he has not furnished any document in respect of the allegation made in the FIR.

5. Considering the facts and circumstances of the case and considering the fact that the defacto complainant did not co-operate with the Law Enforcing Agency and the alleged lease deed is said to have been executed by the petitioner in favour of the defacto complainant, was cancelled and the same was not disputed by the learned Additional Public Prosecutor, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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.I, Kaur, 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 and the sureties shall affix their photographs and left thumb impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(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 petitioners 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;

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

sd/-
04/04/2019

/ TRUE COPY /

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



TO

1 THE JUDICIAL MAGISTRATE NO I
KARUR

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
KARUR

3 THE INSPECTOR OF POLICE
KARUR TOWN POLICE STATION,
KARUR

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

+1. CC to MR.L.GEORGE PAUL ANTO Advocate SR.No.6168

ORDER

IN

CRL OP(MD) No.2068 of 2019

Date :04/04/2019

MSI/JC/SAR 2/11.04.2019/3P-6C