



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

Thursday, the Twentieth day of June Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL OP(MD) No.6408 of 2019

G.MUNIYACHAMY

... PETITIONER /SOLE ACCUSED

Vs

STATE REP. BY
THE SUB INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.
CRIME NO.118/2019

... RESPONDENT / COMPLAINANT

For Petitioner : MR.P.MUTHUSAMY Advocate

For Respondent : MR.V.NEELAKANDAN, Additional Public Prosecutor

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

ORDER : The Court Made the following order :-

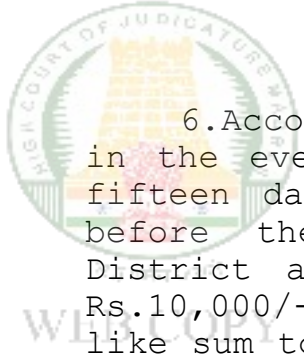
The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 409 and 420 of IPC, seeks anticipatory bail.

2.Heard both sides.

3.The learned counsel appearing for the petitioner has submitted that after registration of FIR, the de-facto complainant himself has deposited a sum of Rs.3,36,228/- (Rupees Three Lakhs Thirty Six Thousand and Two Hundred Twenty Eight only). He further submitted that the petitioner herein has not committed any offence and hence, he prayed to grant anticipatory bail to the petitioner.

4.The learned Additional Public Prosecutor appearing for the respondent has fairly conceded that after registration of FIR, the de-facto complainant himself has deposited the said amount.

5.Taking into consideration of the aforesaid facts, 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Sivagiri, Tirunelveli District and 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] If the petitioner fails to surrender before the concerned Magistrate within a period of 15 days, this order shall stand automatically cancelled.

[b] the petitioner shall report before the respondent police, daily at 10.30 a.m for a period of three weeks and thereafter, as and when required before the respondent police 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 absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/06/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE,
SIVAGIRI, TIRUNELVELI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THIRUNELVELI DISTRICT.



3 THE SUB INSPECTOR OF POLICE,
SIVAGIRI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1. CC to M/S.P.MUTHUSAMY Advocate SR.No. 10165

ORDER

IN

CRL OP(MD) No.6408 of 2019

Date :20/06/2019

JM/JC/SAR 4/02.07.2019/3P/6C