



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

Monday, the Twenty Eighth day of January Two Thousand Nineteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.904 of 2019

B.SATHYANARAYANAN

... PETITIONER / ACCUSED NO.3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
B4, KEERATHURAI (CRIME) POLICE STATION,
MADURAI DISTRICT.
(CRIME NO.671/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.R.MAHESWARAN Advocate

For Respondent : Mr.K.SUYAMBULINGA 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 offences punishable under Sections 406 and 420 I.P.C, in Crime No.671 of 2015, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is the Manager of the Alahabad Bank. The defacto complainant obtained loan from Alahabad Bank and they have failed to pay the loan amount to the defacto complainant. and thereby committed offence.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He is only the Manager of the Bank.

4.Heard the learned Government Advocate (Criminal Side) for the respondent.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

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 Court No.IV, 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 said Magistrate, on further condition that:

[a] the petitioner shall appear before the respondent police as and when required for interrogation.

[b] if the petitioner failed to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[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/-

28/01/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE NO-IV,MADURAI.

2 THE CHIEF JUDICIAL MAGISTRATE,MADURAI.

3 THE INSPECTOR OF POLICE,
B4, KEERATHURAI (CRIME) POLICE STATION,
MADURAI DISTRICT.

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

+1. CC to M/S.R.MAHESWARAN Advocate SR.No.1485

PS/PN/SAR-3/04.02.2019/2P/6C

ORDER

IN

CRL OP(MD) No.904 of 2019

Date :28/01/2019