



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

Wednesday, the Second day of January Two Thousand Nineteen

PRESENT

WEB COPY

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL OP(MD) No.18974 of 2018

M.SARAVANAKUMAR

... PETITIONER / SOLE ACCUSED

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
THENI POLICE STATION,
THENI DISTRICT.
CRIME NO.672/2018

... RESPONDENT / COMPLAINANT

For Petitioner : MR.A.MITHUNCHAKRAVARTHI Advocate

For Respondent : MR.K.SUYAMBULINGA BHARATHI,
Government Advocate (Crl.Side)

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

ORDER : The Court Made the following order :-

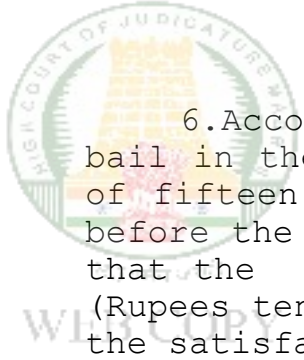
The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(i) IPC in Cr.No.672 of 2018 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner was working as a marketing executive in tailoring with the defacto complainant. His salary is due for more than six months. The petitioner had requested for the due of his salary. There were some disputes with regard to the advance received from the defacto complainant. When the petitioner has persisted for the due of his salary, this false case has been foisted against the petitioner.

3.The learned counsel for the petitioner would submit that a false case has been foisted against him and he had nothing to do with the alleged offence.

4.The learned Government Advocate (Crl.Side) opposes to grant anticipatory bail to the petitioner.

5.Taking into consideration the fact that the dispute is with regard to employee and employer and the submissions made by learned counsels, 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, Theni District 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] 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 learned Judicial Magistrate, Theni District as and when required 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/-

02/01/2019

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

TO

- 1 THE JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.
- 3 THE INSPECTOR OF POLICE.
THENI POLICE STATION, THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.A.MITHUNCHAKRAVARTHI Advocate SR.No. 225

ORDER

IN

CRL OP(MD) No.18974 of 2018

Date :02/01/2019