



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

Date : 06/03/2020

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD). No.3348 of 2020

P.Senthilkumar

... Petitioner/Accused No.1

Vs

The State rep.by
The Inspector of Police,
Karivalam Vanthanallur Police Station,
Tenkasi District.
Crime No.Not Known

... Respondent/Complainant

For Petitioner : Mr.H.Mohammed Imran, Advocate for
M/s.Ajmal Associates, Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

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

PRAYER :-

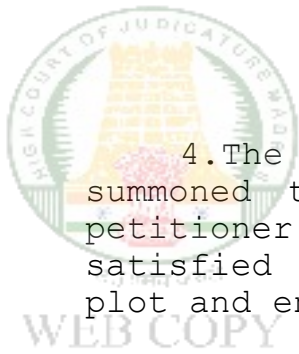
For Anticipatory Bail in Crime No of 2020 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

Heard the learned counsel appearing for the petitioner and the
learned Government Advocate(Crl. Side) appearing for the respondent.

2.The petitioner herein apprehending arrest for the offence
under Sections 417 and 420 IPC registered based on the compliant
given by the thirteen persons of Perumbathur Village, Virudhunagar
District, is before this Court seeking anticipatory bail.

3.According to the petitioner, he has promoted plots and sold
the same to various persons on installment basis. The defacto
complainant has not paid the installment and also having loan to be
discharged. When the petitioner demanded installment, a complaint
has been given by the defacto complainant as if the petitioner has
sold an approved layout to him and others.



4.The respondent police, after receiving the complaint, has summoned the petitioner and had enquired. In the enquiry the petitioner has given undertaking that if the complainant is not satisfied with the plots sold him, he is ready to give alternate plot and enquiry is under process.

5.Recording the same, the anticipatory bail is granted with certain conditions. 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, Sankarankovil, Tenkasi District, on condition that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakhs only) with two sureties each for a like sum to the satisfaction of the respondent Police or to 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 photograph 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;

(b)the petitioner shall report before the respondent police as and when required;

(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 petitioners 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;

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

sd/-
06/03/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE,
SANKARANKOVIL.

2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3. THE INSPECTOR OF POLICE,
KARIVALAM VANTHANALLUR POLICE STATION,
TENKASI DISTRICT.

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

+1. CC to M/S.AJMAL ASSOCIATES Advocate SR.No.5049

ORDER

IN

CRL OP(MD) No.3348 of 2020

Date : 06/03/2020

GNS

TK/PN/SAR.2/12.03.2020/3P/6C