

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).4022/2009

(From the judgement and order dated 05/01/2009 in MCR No. 7573/2008 of The HIGH COURT OF M.P AT JABALPUR)

MADHUVAN PRASAD

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

(With appln(s) for exemption from filing O.T.,permission to place addl. documents on record)

Date: 29/05/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE DEEPAK VERMA
[VACATION BENCH]

For Petitioner(s) Mr. Shiv Sagar Tiwari,Adv.

UPON hearing counsel the Court made the following
ORDER

Heard learned counsel for the petitioner.

No case for grant of anticipatory bail is made out. The Special Leave Petition is dismissed. However, we direct that the petitioner shall not be arrested for three weeks from today and during this period he can apply for regular bail before the Court concerned. It is settled law that power to grant bail includes power to grant interim bail, though in the discretion of the Court. Hence, if the petitioner surrenders and applies for regular bail along with an application for interim bail, the interim bail application shall be decided on the same day on its own merits in accordance with law.

The Special Leave Petition is disposed of in the above terms.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master