



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

Friday, the Third day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.10302 of 2015

1 MUBARAK

2 DINESHKUMAR

... PETITIONER(S) / ACCUSED 1 & 2

Vs

THE STATE REP.BY THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT.
CR. NO. 77/2015.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.A.K.MANICKAM Advocate

For Respondent : M/S.K.V.RAJARAJAN Govt. Advocate (Crl. Side)

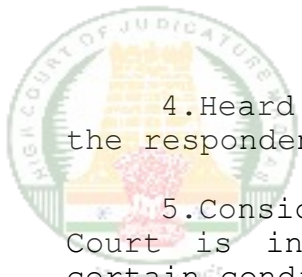
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A1 and A2 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 420, 120(B) and 506(i) of IPC, in Crime No.77 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Kathiresan, he made arrangements to purchase furniture from various companies for the accused to run a business in the name of Orange Shopping Bazar and they failed to pay Rs.29,52,428/- and thereby cheated him.

3.The learned counsel for the petitioners submitted that the petitioners along with, the daughter of the de-facto complainant started a partnership business in the name of Orange Shopping Bazar in the year 2014 and after some time, the daughter of the de-facto complainant had retired from the firm and thereafter, she started a new firm along with others, namely New Orange Shopping Bazar and they purchased materials worth at Rs.50,00,000/- by using the TIN number of the petitioners and for the misuse, the petitioners gave a complaint, which has been registered against the daughter of the de-facto complainant in Crime No.76 of 2015 on 06.02.2015 and thereafter, as a counter blast, this complaint was given. The learned counsel further submitted as per the direction of this court, the petitioners have appeared before the Mediation Centre, but the de-facto complainant has not chosen to appear and therefore, the mediation failed. It is further submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution.



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

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Uthamapalayam and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
03/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE JUDICIAL MAGISTRATE, UTHAMAPALAYAM.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
 - 4 THE INSPECTOR OF POLICE
CUMBUM NORTH POLICE STATION, THENI DISTRICT.
- +1. CC to M/S.A.K.MANICKAM Advocate SR.No. 36117.

TS/07.07.2015/2P -6C

ORDER
IN
CRL OP(MD) No.10302 of 2015
Date :03/07/2015