



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

Tuesday, the Seventh day of July Two Thousand Fifteen

WEB COPY

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.12634 of 2015

1 DHANA LAKSHMI

2 GUNASEKARAN

..PETITIONERS/ACCUSED No.1 and 2

Vs.

THE STATE REP.BY
THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
KARUR DISTRICT.
CRIME NO.24/2014

... RESPONDENT/COMPLAINANT

For Petitioners : M/S.M.PITCHAI MUTHU Advocate
For Respondent : MR.K.V.RAJARAJAN,
Govt. Advocate (Crl. Side)

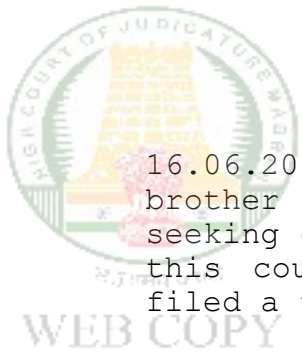
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.
ORDER : The Court Made the following order :-

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 406 and 420 of IPC, in Crime No.24 of 2014 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant, the accused had received Rs.7,00,000/- assuring job in TNPL at Karur for his wife.

3.The learned counsel for the petitioners submitted that the petitioners are husband and wife and they are innocent persons and they have not committed any offence as alleged by the prosecution. It is further submitted that first petitioner/A1 had mortgaged her property with the brother of the de-facto complainant Madhavan on 01.11.2010 and borrowed Rs.4,00,000/-; that the first petitioner had issued notice to the said Madhavan on 13.10.2013 agreeing to pay the entire balance amount to redeem the property, for which the said Madhavan had issued reply on 18.10.2013 alleging that apart from Rs.4,00,000/-, the accused had also received Rs.3,00,000/- and totally the borrowal was Rs.7,00,000/-.

4.The learned counsel further submitted that the petitioners issued a re-joinder on 19.10.2013 and also preferred a complaint on 25.10.2013 before the Superintendent of Police, Trichy and other higher officials of the respondent with regard to unreasonable claim of the said Madhavan and only thereafter, this complaint was given on



16.06.2014 at the instigation of the said Madhavan by his own brother Rajadurai and he also filed CrI.O.P(MD)No.11599 of 2015 seeking direction to register a case and on the basis of the order of this court, now the case was registered. The learned counsel has filed a typed set containing the documents referred supra.

5.The learned Government Advocate (Criminal side) submitted that the accused have received Rs.7,00,000/- assuring employment in TNPL at Karur, but they failed to keep up their words.

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

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.I, Karur 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. for a period of two weeks and thereafter as and when required. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

8.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/-
07/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I, KARUR
2 -DO-THRO'THE CHIEF JUDICIAL MAGISTRATE, KARUR
3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
4 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH, KARUR DISTRICT.

+1. CC to M/S.M.PITCHAI MUTHU Advocate SR.No.37152

Akm/13.07.15 /2p-6c/

ORDER
IN
CRL OP(MD) No.12634 of 2015
Date :07/07/2015