



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

Thursday, the Ninth day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

WEB COPY

CRL OP(MD) No.12758 of 2015

1 RAJINI

2 GNANARAJ @ MOHAN

... PETITIONERS / ACCUSED 1 - 2

Vs

STATE REP BY: THE INSPECTOR OF POLICE
THENPAGAM POLICE STATION, TUTICORIN,
TUTICORIN DISTRICT. CRIME NO.544 OF 2015... RESPONDENT / COMPLAINANT

For Petitioner : M/S.L.MADHUSUDHANAN Advocate

For Respondent : Mr.K.V.RAJARAJAN, Government Advocate(Crl.Side)

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

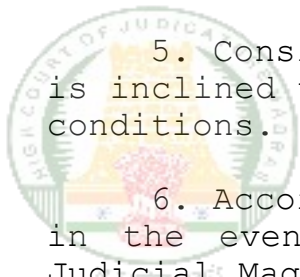
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of the Indian Penal Code in Crime No.544 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, namely Vijay, he availed loan from Shriram City Finance Limited for purchasing a Car bearing Registration No.TN-69-D-1234 and he was paying instalments regularly. While so, on 08.06.2015, the petitioners came to the house of the defacto complainant and under the guise of checking the condition of the vehicle, they obtained key and taken away the car to their custody.

3. The learned counsel for the petitioners submitted that the petitioners were working as Divisional Manager and Business Manager in Shriram City Union Finance Limited at Tuticorin and the defacto complainant has borrowed a sum of Rs.3,75,000/- to purchase a Honda Civic. For his default in paying the instalments, the Finance Company initiated proceedings by filing a case before the Arbitrator in A.C.P.No.2 of 2014 and thereafter, took the custody of the vehicle by following the procedure. The learned counsel for the petitioners further submitted that they are falsely implicated in this case.

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



5. Considering the 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 No.I, Thoothukudi 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 for interrogation. The petitioners shall comply with the conditions 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/-

09/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

1 THE JUDICIAL MAGISTRATE NO.I,
THOOTHUKUDI

2 THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI

3 THE ADDL. PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

4 THE INSPECTOR OF POLICE
THENPAGAM POLICE STATION, TUTICORIN,
TUTICORIN DISTRICT.

+1. CC to M/S.L.MADHUSUDHANAN Advocate SR.No.37538

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ORDER

IN

CRL OP(MD) No.12758 of 2015

Date :09/07/2015