



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

Monday, the Twenty Seventh day of July Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM
CRL OP(MD) No.13881 of 2015

WEB COPY

1 ANANTHAKRISHNAN,
2 PALRAJ ,
3 K.R. THANGARAJA ,
4 P. AYYANAR, S/O. PALCHAMY NADAR,
5 P. PANDIAN
6 G. RAJENDRAN
7 M. VAIRAMUTHU
8 K. MARIAPPAN, KANNAPPA NADAR,
9 PITCHAIMUTHU
10 K. AYYANAR ,
S/O. KANNAPPA NADAR
11 R. JAYARAMAN
12 S. GOVINDAN
13 V. MARIAPPAN
S/O. VAIRAMUTHU
14 A. ATHIMURUGAN
15 R. PERUMAL
16 P.SIVANANAINTHA PERUMAL
17 SIVANESA PANDIAN @ SIVA
18 R. HARIKRISHNAN
19 R. THIRUPPATHIRAJAN
20 A. DILIPAN RAJA
21 E. PARAMASIVAM
22 S. CHELLATHURAI
23 SELVAM
24 VENKATACHALAM ... PETITIONERS / ACCUSED NOS.A-1,A2 & A5 TO 10
& 12 TO 27

Vs

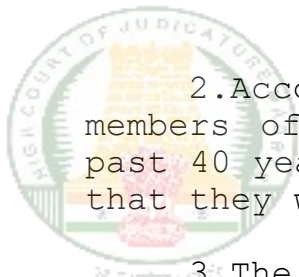
THE STATE REP.BY
THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR, CRIME NO.343/2015 ... RESPONDENT/ COMPLAINANT

For Petitioner : M/S.R.SRINIVASAN Advocate
For Respondent : 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 accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 420, 465 and 468 r/w. 34 of I.P.C. in Crime No.343 of 2015 on the file of the respondent police and hence, seek anticipatory bail.



2. According to the de-facto complainant, he was one of the members of the Bennington Vegetable Merchants Association for the past 40 years and he was expelled by the accused by giving assurance that they will pay Rs.22 lakhs, but he failed to pay the amount.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the de-facto complainant was expelled in the year 2008 and challenging the expulsion, he filed a suit in O.S.No.46 of 2009 before the Sub-Court, Srivilliputhur and also lodged a complaint before the Economic Offence Wing, Virudhunagar. The complaint was also enquired into and closed as mistake of fact. He further submitted that the de-facto complainant has filed another suit in O.S.No.67 of 2009 which is pending before the District Munsif Court at Srivilliputhur and suppressing all these facts, the de-facto complainant filed a private complaint before the learned Judicial Magistrate No.II, Srivilliputhur and obtained a direction and on the basis of the order, the respondent police registered the case.

4. The learned Government Advocate (Crl.side) submitted that the accused have cheated the de-facto complainant and also created documents and in respect of the dispute between the parties, two suits are pending in civil Courts and the earlier complaint of the de-facto complainant was closed by the Economic Offence Wing, Virudhunagar as mistake of fact.

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.II, Srivilliputhur and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with single surety 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 as and when required for interrogation. 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/-
27/07/2015

/ TRUE COPY /

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



TO

1. THE JUDICIAL MAGISTRATE NO. II,
SRIVILLIPUTHUR.

2. THE CHIEF JUDICIAL MAGISTRATE
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

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

4. THE INSPECTOR OF POLICE
SRIVILLIPUTHUR TOWN POLICE STATION,
VIRUDHUNAGAR.

+1. CC to M/S.R.SRINIVASAN Advocate SR.No.41887

ORDER

IN

CRL OP (MD) No.13881 of 2015

Date : 27/07/2015

RG.29.07.2015

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