



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

Friday, the Seventh day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.14902 of 2015

1 V.PERIYASAMY,  
2 K.BHUVANESHWARAN

... PETITIONERS/ACCUSED 3& 4

Vs

THE STATE OF TAMILNADU  
REPRESENTED BY THE INSPECTOR OF POLICE,  
CHATRAPPATTI POLICE STATION,  
ODDANCHATRAM TALUK,  
DINDIGUL DISTRICT  
(CRIME NO. 206/15)

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.V.O.S.KALAISELVAM Advocate

For Respondent : MRS.S.PRABHA, Government Advocate ( Crl. Side)

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

ORDER : The Court Made the following order :-

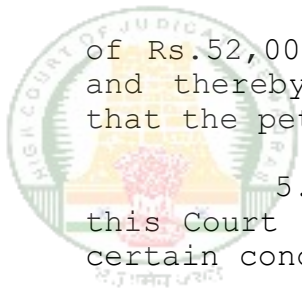
The petitioners, who are arrayed as A3 and A4 apprehend arrest at the hands of the respondent police for the alleged offences punishable under sections 294(b) and 420 of IPC, in Crime No.206 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Deepa, she purchased lands to an extent of 1.20 acres in Survey No.434/2B2B in patta No.1258 from A1 and A2 by a registered sale deed, dated 29.05.2013 and suppressing the said fact, A3 and A4, who are working as Secretary and Clerk in the Boduvarpatti Primary Agricultural Co-operative Credit Society paid insurance claim of Rs.52,000/- to the accused 1 and 2.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. The learned counsel further submitted that A1 and A2 were the owners of the property and they insured the crops raised in their lands and submitted their applications on 09.01.2013 and also paid premium and based on the applications and the payment of premium, the petitioners/A3 and A4 disbursed insurance claim to A1 and A2. It is further submitted that the petitioners were not aware of the sale made by A1 and A2 in favour of the de-facto complainant and the same was not intimated to them.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The learned Government Advocate (Criminal side) appearing for the respondent submitted that A3 and A4, instead of paying insurance amount



of Rs.52,000/- to the de-facto complainant, paid the amount to A1 and 2 and thereby cheated the de-facto complainant. It is further submitted that the petitioners have no bad antecedents.

5.Considering the above fact 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, Oddanchatram 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 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/-  
07/08/2015

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

TO

- 1 THE JUDICIAL MAGISTRATE, ODDANCHATRAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.
- 3 THE INSPECTOR OF POLICE,  
CHATRAPATTI POLICE STATION, ODDANCHATRAM TALUK,  
DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.V.O.S.KALAISELVAM Advocate SR.No. 44963

ORDER  
IN  
CRL OP(MD) No.14902 of 2015  
Date :07/08/2015