



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

Monday, the Tenth day of August Two Thousand Fifteen

PRESENT

The Hon`ble Mr Justice K.KALYANASUNDARAM

CRL OP(MD) No.15106 of 2015

1 R.VELUCHAMY
2 R.PONRAJ
3 S.SUKUMAR

... PETITIONERS/ACCUSED NOS.1 TO 3

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
NORTH POLICE STATION, THOOTHUKUDI,
(CRIME NO.534/2015)

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.N.MOHIDEEN BASHA Advocate

For Respondent : M/S.S.PRABHA, 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 to A3 apprehend arrest at the hands of the respondent police for the alleged offences punishable under section 420 of IPC and section 4 of the Tamil Nadu Fund and Chits Regulation Act, 2000, in Crime No.534 of 2015 on the file of the respondent police and hence, seek anticipatory bail.

2.According to the de-facto complainant Gopalakrishnan, he was running a Mutton Stall at Chidambara Nagar Main Road and he is also a member of Kasaai Varthagargal Munnetra Sangam and the Sangam had collected Rs.4,000/- every week, totally collected Rs.1,52,000/- for 38 weeks and as per the draw conducted by the accused, he is entitled to get Rs.4,64,000/-, but they failed to pay the amount.

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 the de-facto complainant and his brother Paramasivam were running mutton stall separately and the members of Kasaai Varthagargal Munnetra Sangam are also running mutton stalls and the Shangam is collecting Rs.4,000/- every month from the members, totally 19 members and every week, they are also conducting draw and selected a member and lending that amount to the person succeeded in



the draw. The learned counsel further submitted that due to misbehaviour of the brother of the de-facto complainant, he was expelled long back from the Sangam and the de-facto complainant had been expelled from the Sangam on 13.04.2015 and the same was also communicated to him and after a lapse of two months, this complaint was filed with an ulterior motive.

4.The learned Government Advocate (Criminal side) submitted that the accused have totally collected Rs.1,52,000/- from the de-facto complainant and they failed to pay the collected amount of Rs.4,64,000/- to the de-facto complainant and the accused have collected the blank signed cheques and blank 100 rupees stamp papers from the de-facto complainant and failed to pay the amount of Rs.4,64,000/-

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 No.II, Tuticorin 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 10.30 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/-
10/08/2015

/ TRUE COPY /

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II, TUTICORIN
- 2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT
- 3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- 4.THE INSPECTOR OF POLICE,
NORTH POLICE STATION, THOOTHUKUDI,
- +1. CC to M/S.N.MOHIDEEN BASHA Advocate SR.No.45171
RL/6 C- 14/8/2015

ORDER
IN
CRL OP(MD) No.15106 of 2015
Date :10/08/2015